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**The Democratic Nature of American Public Schools
in Terms of Democratic Principles**

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**The Democratic Nature of American Public Schools
in Terms of Democratic Principles**

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Dedication

This dissertation I dedicate to our Father, who continuously encouraged me to think more and further. I hope that this little work can be an ignition of hope to all the disadvantaged from the world, where we all are the disadvantaged in a sense. I dream to hear all of us say “I have a dream.”

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I do appreciate my Chair, Dr. Michelle D. Young and my thankful committee members, who helped me with sincere kindness and critical advice. I was so lucky to be their students in the University of Texas at Austin. Especially, Dr. Young had shared and guided all the ideas with me with great patience and academic advice, while encouraging me to think of the ideas with freedom. I give my gratitude to my prior advisor, Dr. Young-Hyun Suh and other professors in Chungbuk National University in South Korea. In my undergraduate and graduate days, they sowed the seed of vision to my mind.

I expect that someone will criticize my ideas to make me deepen and widen these ideas. It may be natural that any ideas are criticized in that to understand and educate someone is hard, as is to understand the world. I do hope that all the mistakes, misunderstanding, and misinterpretations are ascribed only to me. If there is a trivial complement, I hope to attribute it to my family's and friends' prayers of tears for me. I know to get more ignorant and more humble is the way I give my sincere thanks.

Cherishing the memory of the late Dr. Michael Thomas, who was one of my committee members ...

The Democratic Nature of American Public Schools
in Terms of Democratic Principles

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The University of Texas at Austin, 2010

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The purpose of this dissertation is to elucidate the democratic nature of American public schools in terms of democratic principles of freedom, equality, and equity through historical, sociological, conceptual, and educational examinations. Chapter 2 explores, through a salient and recurring phenomenon of segregation, how the democratic-capitalistic matrix of American public schools has been constructed in terms of both meritocratic and egalitarian policies. To scrutinize the substantive nature of democratic-capitalistic society, in Chapter 3, social theories proposed by Marx, Durkheim, Weber, Simmel, and Freud are examined in terms of the nature of human existence in the democratic-capitalistic society and then, its mode of existence is analyzed in light of the metaphors, the Möbius strip and the Klein bottle. The object of Chapter 4 is to clarify the conceptual and substantive relationship between freedom and equality based on equity as balance point. In Chapter 5, educational issues concerning the nature of democratic existence are dealt with in terms of educational quality, while clarifying the paradoxical nature of democratic-educational conceptions of excellence and knowledge in the public school system. Further, a reconsideration of the *Brown* decision in Chapter 6 helps penetrate how democratic existence can be substantiated in American public schools under the capitalistic-democratic society, confirming a new version of educational paradigm.

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Chapter 1: Introduction

Is American public schooling democratic enough to liberate students from internal and external restrictions in the state of being treated equally? The cross questions asked include: Has public schooling substantially provided students with a balanced democratic education? How have public schools helped U.S. children internalize democratic ideals in their lives in a democratic way? The overarching and conclusive question is, “What is the democratic nature of American public education, whose qualities characterize the U.S. children’s lives?”

The clue of contemplation of democratic quality of the public school is an idea that education presupposes the changes in the way of thinking and living, based on the ideal relationship between individual and society, from which the rationales of democratic education should be drawn. However, American public schools under the democratic-capitalistic structure have revealed an imbalanced and ambiguous reality between democratic principles of freedom and equality, generating unintended tensions and consequences. Why have such ambiguities and tensions been caused? What have they implied for American public schooling?

Democratic Paradigm: Assumed and Proposed

The American public school system has been expected to solve social problems under two contrasting beliefs (Hutmacher, Cochrane, & Bottani, 2001; Spring, 1997). One is a liberal belief that education can eradicate ignorance, regarding the public mind as the common property of society. The other is a

capitalistic belief that socioeconomic success ensures one's happiness, and that schooling is an important means to attain such status. Here, the intricate tension between educational 'policy focused on goals' and democratic 'principles focused on rights' (Dworkin, 1977, p. 90) conveys conceptual ambiguities, which say as if capitalistic goals of socioeconomic success were not easy to be compatible with democratic rights, and further as if meritocratic policies to select the *elite* could not easily reconcile with egalitarian policies to support the public.

The conceptual twist in the history of American public schools can be summarized as the incompatibility of individual freedom with public equality, resulting in legitimization of inequality. Further, the democratic nature of public schools seems to reveal an extended incompatibility of individual excellence-driven meritocracy with equality-based egalitarianism in a capitalistic structure dominated by social Darwinism. This dissertation begins with the analytic examination of the historical, structural, and conceptual twist in the public school function.

Addressing such a twist seriously is important because of its effects on substantial ambiguities of the democratic paradigm assumed in the public school system, which has generated a pivotal issue of how to deal with the tensions¹ between (a) educational policy of meritocracy and egalitarianism and (b) democratic principles of freedom and equality. First, a linear way of thinking, which takes its shape like (\perp) or (\vdash) by the combination of vertical ideology of meritocracy with horizontal

¹ This tension is dealt with specifically in Chapter 2.

ideology of egalitarianism, signifies that educational policy is incompatible with democratic principles. This shape legitimizes both the separation of meritocracy from egalitarianism and the discrepancy between freedom and equality.

Next, a quadratic way of thinking, which takes two shapes of a triangle with its own balance point, as demonstrated in Figure 1, allows us to assume that public education is conceptually and substantially connected with democratic life. The crux to determine the difference between (\triangle), a top-down policy, and (∇), a bottom-up policy, is where each of balance points is situated.

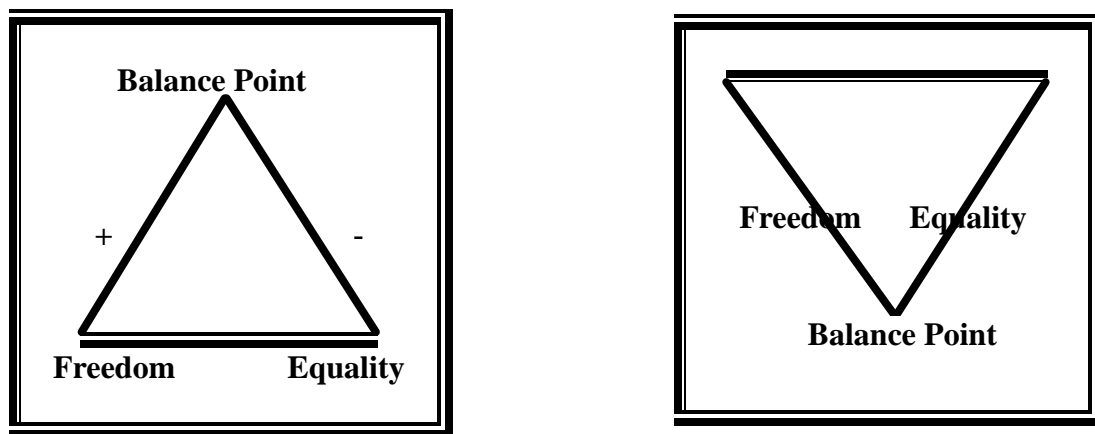


Figure 1. Democratic principles conceptually connected.

In the public school context, the continuous swing of the pendulum of educational policies between meritocracy and egalitarianism indicates that public schools have played their roles as a means of a political or social end and that school reformers have paid attention mostly to the conditions of schooling rather than to the realization of educational ideals of developing children's potential. To reconcile the

tensions between democratic conceptions, the democratic paradigm can be specified in terms of the purpose of public schooling into a conventional paradigm assumed in the current educational policy and a proposed paradigm based on the intrinsic consistency among individual, society, and education². The two educational paradigms can be demonstrated as Figure 2.

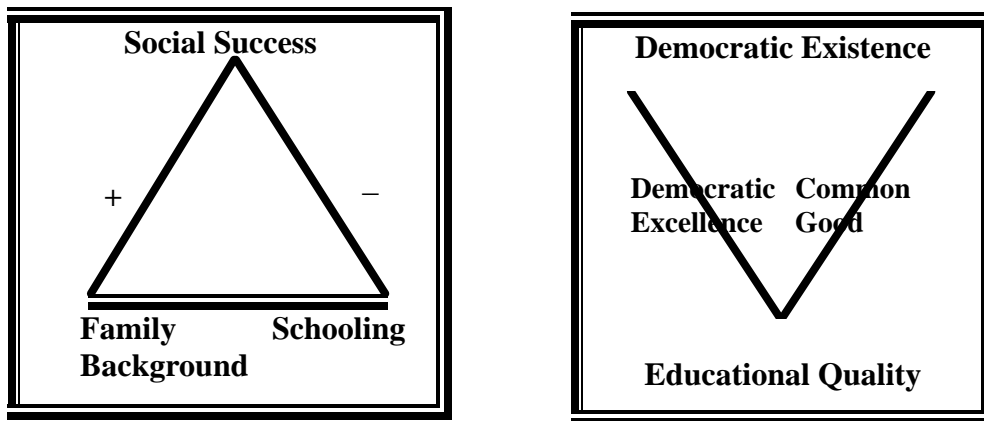


Figure 2. Current educational paradigm versus proposed educational paradigm.

In the current paradigm, which takes the triangle shape on the left-hand side of Figure 2, schooling on the right and family background on the left are directed upward to the point of social success, as proved in the Coleman’s (1966) study, *Equality of Educational Opportunity*, otherwise known as the *Coleman Report* implying that social success is the monolithic purpose of schooling. *Segregation*, one

2 The connection between education, the formation of a democratic mind, and the social ideal can be justified on the basis of Aristotle’s argument that “education must be related to the particular constitution in each case, for the character of the constitution is just that which makes it specifically what it is; its own character made it at the start, and continues to maintain it (*Politics*, viii).”

of the salient social phenomena related to this paradigm, will be dealt with through the historical examination in Chapter 2 and the social scrutiny in Chapter 3. This paradigm suggests that we need a substantive conception of democratic education that is applicable to the educational context, focused on development of children through worthwhile activities.

The proposed paradigm takes a reversed triangular shape without its top. In this shape, educational quality, located at the bottom tip of the triangle, is directed upward to the two points on the both sides (see the right-hand side of Figure 2). This shape of triangle with an uncovered side on the top indicates that democratic existence as a free and equal being must be in ongoing process. Considered in the relation between democratic existence and public schooling, the tensions caused by conceptual ambiguities in democratic principles seem to distort our understanding of democratic education. This dissertation will examine the nature of human existence and its mode in the historical, sociological, and conceptual perspective to illustrate how each democratic concept is substantialized in a child's life.

Here, I follow the Socratic conception of knowledge, which assumes that human knowledge must be in process and that to know what human knowledge means is the excellence (*areté*) of human knowledge. This does not mean that the subject matter taught in the public schools is not necessary for democratic knowledge. Rather, it means that the purpose, the substance, and the procedure must be consistent, because democratic knowledge implies that to be internalized in one's ways of

thinking, the purpose, the substance, and the procedure should be conceptually and practically related to one another.

In an epistemological sense, I see a dilemma in the interpretation of democratic knowledge in *the Paradox of Inquiry*,³ in which knowledge of human knowledge is usually regarded as paradoxical. Thus, to know how to what one knows properly or how to understand what others know, we should carefully examine our intentions and questions, whether we are focusing what we really mean to focus on within the current paradigm.

Theoretical Framework

The primary concern of this dissertation is to clarify the democratic nature of public schools under the premise that a democratic existence entailed in democratic conceptions can be substantialized through educational quality.⁴

Assumptions proposed. To begin, some conceptual and practical clarification is needed to establish the public school as the basis of democracy and to provide a new paradigm for advancing educational quality. For the purpose, three assumptions are made:

3 In the passage of so-called Meno's Paradox, Meno says "one cannot try to discover either what the one knows or what the one does not know" because, by the nature of human knowledge, "one would not seek what he knows from since he knows it there is no need of the inquiry, nor what he does not know, for in that case he does not even know what he is to look for" (Plato, *Meno* 80e).

4 In terms of democratic principles, American public schooling is a complex creation, characterized by American beliefs about human nature and democratic structures to maintain a balance between freedom and equality.

1. In the relationship between human nature and society, the democratic nature of the public schools is composed of a socially (Berger & Luckmann, 1967; Simmel, 1908) but relatively constructed individual historicity.

2. In the relationship between democratic concepts and democratic existence, the democratic nature of public schools has its own conceptual logic, distinct from that of society.

3. Concerning the relationship between educational quality and democratic change, public schooling has permeability not to the results but to the process of forming one's own way toward a democratic life.

The first assumption concerning the nature of a child in the public school system involves that inequality in a capitalistic society is rooted in inequality from the social structure as well as from human nature, disproving that the public school may hardly play its role as a solution of social problems in the capitalistic society supported by social Darwinism.⁵ What, then, is the role of the public school in a democratic society? In the educational context, the term *democratic* has been discussed in terms of interrelated democratic notions, including equal participation (Barber, 1984), empowerment (Meier, 1995), dialogues or discourses (Atlee, 2003;

5 Charles Darwin's revolutionary book, *The Origin of Species* (1859), is regarded as the first literary work to have given scientific legitimacy and assented to the ideas of racial superiority through natural evolution and selection under the logic of the survival of the fittest, justifying the correlation between race and intelligence. Social Darwinist ideas were popular in the early of twenty century, when Congress passed a law restricting immigration from certain areas, based on sterilization laws directed against unfit individuals, while justifying eugenics.

Green, 1999; Yankelovich, 1999), knowledge (Habermas, 1968), or choice (Chubb & Moe, 1990; Peshkin, 1986) under the tradition of critical theory.⁶

To explore how the democratic nature of public schools has survived and has been transformed in assumed tensions and conflicts requires examination of human nature and the social structure of capitalistic democracy. However, an educational policy, contextually constructed in a given society, entails uncertainties and ambiguities behind the efforts to achieve democratic ideals, showing the intricate tension between democracy and education. Here, *segregation*, one of the salient and recurring phenomena, requires special attention, in that it stands for the historicity of the democratic nature of American public schools. From a historical perspective, segregation has been controversial due to its hidden logic of “separate but equal.” In a social perspective, segregation, which may originate in alienation of the individual self from the social self, can be explained by a metaphor of the *Möbius strip*, which represents a twisted inequality in the social and historical context.

The second assumption involves an educational substantialization of the relationship between democratic concepts and democratic existence. Since Socrates, there have been a lot of efforts to substantialize educational-social concepts in public life (Choi & Suh, 2002). Unlike such concepts as *zero* and *light*, used in the

6 However, it is ironic that most of the schools representing democratic education are private or alternative schools, like Summerhill (Neill, 1921) in England, Waldorf School in Germany, the First Street School (Dennison) or the Circle School in the U.S. A. It is even more ironic that the U.S. public school system has not provided any substantive conception of democratic principles for the way of democratic living and thinking.

mathematical or scientific sense, some educational concepts like *equality* and *knowing* need conceptualizations based on human nature and human relationships. Such educational concepts have a quality that should be continuously examined in one's life, rather than remaining consistent and unchanged.⁷

To say, "If a child is an American, he or she will be free" would be right but ambiguous, because the quality of freedom is not clear.⁸ The statement indicates neither who the child is nor his or her potentials, except for the legal sense of freedom. Further, it indicates no relationship between democratic concepts and each child's life in the public school system. Not until clarification of the meaning of democratic concepts can we say if a child is a democratic being, because the state of freedom is not clarified by the application of the word but is delineated by the characteristics it connotes (Holden, 1974, p. 160). What makes democratic concepts "good"⁹ to one's own life? What characterizes democratic concepts educational or educative? How might democratic existence be substantialized in the diverse educational context, in which students have relatively unequal backgrounds? Here can be pointed out two

7 The scholars who have focused on coherence or consistency may assume an ideal person and ideal society, which guides the purpose. However, the changeability in 'who one is' leads me to focus 'what makes a person or a society ideal,' rather than 'who the ideal person or the ideal society like.'

8 It does not indicate whether the child is drug-addicted, or poverty-stricken, or even test score-centered.

9 Moore in his book, *Principia Ethica* (1922) tried to discover the fundamental principles of ethical reasoning into what he denoted by 'good,' while Wittgenstein argued that the uses of a word form a family united by "a complicated network of similarities overlapping and crisscrossing" (Wittgenstein, 1953, p. 32), while denying that "a formula could be found which would encompass the different uses of words like justice" (Peters, p. 23).

problems, value and objectivity, concerning ontological significances of democratic concepts in one's education.

The third assumption is that democratic education reflects an educational change in our way of thinking and living, which implies not a product but a process. This assumption implies that the nature of the public schools should be drawn from the democratic quality of public schools to help each student initiated to educational concepts and fulfill his or her potential.¹⁰ In the relationship between educational quality and democratic change, human existence of “living through substantive knowing” is entailed in the conception of excellence as an individual and social being of *thinking* and *living*.

In terms of the nature of human existence, the child assumed in the nature of democratic existence of living in accordance with knowing democratic concepts is not the *elite* or intellectuals, who have achieved their final goal in terms of human excellence. Rather, the child is the one who has to struggle against his or her relative and related nature (Durkheim, 1961; 1965; Marx, 1904; Simmel, 1908; Weber, 1905), which is vulnerable to senses, desires, and emotions and whose nature is historically and socially constructed (Berger & Luckmann, 1967; Simmel, 1908). In terms of the nature of knowledge as the basis of educational quality, this conception of the elite is sure to imply a different conception of excellence that does not depend on “the

10 Here, it is the purpose of education that determines the nature of knowledge, which determines teaching method, implying that they are substantially related to one another.

amount of knowledge” under the assumption that the more knowledge leads to the less ignorance (Foucault, 1977).

Background for theoretical approach. The nature of democratic existence stimulates an examination of the nature of human existence in the capitalistic democratic society, convergent to reproducing social inequality. What does the nature of democratic existence mean in the capitalistic democratic society to each individual of different potentiality? What conception of educational quality makes democratic concepts beneficial to one’s life? To what are children in the public school system entitled as beings of freedom and equality? What does American democratic education mean for the American democratic principles of freedom and equality?

The educational contexts, which entail one’s individual and social nature and the considerations of one’s life, need criteria¹¹ that are different from either an “infallible test of truth” (Rescher, 1973) or “correspondence to objective facts” (Moore, 1910; Russell, 1906). This implies that the meaning of educational ideologies and concepts cannot be taken for granted but must be considered as “problematic” (Berger & Luckmann, p. 12). How, then, can objectivity be dealt with in the

11 Unlike a mathematical statement, ‘Two and two makes four,’ but like an ethical one, ‘Put yourself into another’s shoes,’ the statement that expresses democratic knowledge does not involve that “a perfectly coherent set of beliefs matches objective reality” (Young, 2001). Coherentists who reject the principles of bivalence and transcendence (Rescher, 1973) argue logical consistency and coherence with other propositions as the criteria of truth (Putnam, 1981). Advocates of the correspondence theory think that a belief is ontologically distinct from the objective conditions, which make the belief true in the objective world. As a third perspective, one may argue for theory of justification (Blanshard, 1939), as the explanation as to why a belief is true or an account of how one knows what one knows.

educational context, where each of the students has a relatively unequal background? Some may argue that concept and subject should be clearly differentiated,¹² while others may argue that it is enough that one should know that there logically could be an instance of the concept and to know in principle how one would tell that one had encountered such an instance.¹³ However, the meaning of each democratic concept used in the educational context is not clarified yet.

In the tension between one's democratic existence and the context, each child in the contemporary public school has his or her own historical reality¹⁴ that cannot be dissolved with ease in such multicultural context, which needs "the causal explanation of the structures" (Ritzer, 2004, p. 112) as a historically oriented

12 Fregē argued that the objectivity of a word should be found out in the objectivity in the usage of a word, proposing that the meaning of a word should be questions in the context of the sentence and so that concept and subject should be clearly differentiated. However, in the discussion of 'common,' his contention proved contradictory because his argument that the identifiability of 'particular' objects depends on the grasp of the 'general' principles of identity is tantamount to the contention that the identifiability of the 'particular' presupposes the prior identifiability of the 'general.'

13 If the condition of identifiability of particular object with the general principles of identity is to be satisfied, the condition of existence is satisfied by the rule that two sets are equal if and only if their corresponding functions coincide in values for all possible arguments (Russell, 1995), which requires that an expression such as $f(x)$ be considered both a function of the argument x and a function of the argument f (Russell, 1903).

14 As Simmel (1908) indicated, individuals are "the loci of all historical reality." The historical realities reveal a lot of "disconnection between what happened and what is said to have happened" (Ricken, 2006) as well as a lot of chasm between what had been made in the past for the next generations and what happens in the present. In addition, some historical documents only contained the voices of the stronger instead of those of the minorities because in many cases, the weaker have kept silent.

methodology. To fill the gap in our understanding of the history of public schools,¹⁵ we can examine a phenomenon that has been recurring and salient throughout the history.

Popper (1959) introduced his conception of methodological basis through so-called intersubjectivity, which means not that everyone has the same perspective to the same phenomenon but that everyone makes agreement to the perspective to a given phenomenon. His conception of falsification is not to accumulate data to prove deductively what one thinks is true, but to refute inductively accumulated data by a contra-case (pp. 40-48). His methodology enables us to have less biased opinions, but it had its limitations in that neither experiences nor observations, as the sources of his methodology, can be substantialized to explain what happens inside the self.¹⁶

Flow of the Dissertation

This dissertation examines the democratic concepts of freedom, equality, and equity in the historical, social, conceptual, and educational perspectives. The historical exploration addresses a salient and recurring phenomenon of segregation. In

15 For that, there are several ways. For example, 'the annalistic way of approaching the past' (Bintliff, 1991) is helpful in blending diachronically history and other disciplines. If we have any subjugated knowledge and cannot reveal how a particular era or region underwent historical change in the weak people's perspective (Ricken, 2006). However, we have to keep a lesson in mind that what we can get for scientific research is not a solid empirical basis but methodological basis, as Popper (1959) argued.

16 Both Wittgenstein and Popper were based not on *priori* but on arguments of what one knows by experiences and by agreements, implying the tensions between objectivity and subjectivity, and between theory and practice, while is lead to a matter of substantialization.

the social perspective, segregation in the capitalistic-democratic structure is scrutinized in terms of the metaphors of the Möbius strip and the Klein bottle. For the conceptual analyses of democratic ideas, some premises and assumptions of the democratic principles are clarified. These examinations help substantiate educational conceptions.

The basic position of this dissertation is that democracy is a way of thinking and a way of living, by which a child is in the process of being a free and equal person. Democratic education in the public school system here is assumed to be entailed in the nature of educational quality, through which a child's way of thinking can be substantialized in his or her existence in the capitalistic-democratic society. Thus, this dissertation is concerned with substantialization of the democratic nature of public school, by elucidating educational quality, which implies *Phronēsis*, substantive wisdom,¹⁷ based on the historical, social, and conceptual examinations.

Questions for the study. The underlying question raised in this dissertation is, “What should the American public schools be like in order to liberate students from internal and external restrictions to the state of being treated equally?” Several

17 This word, *phronēsis* (φρόνησις) is used in Aristotle's *Nicomachean Ethics*, in which this word was translated “practical wisdom” or “prudence.” This word might be understood as a term as “practical sophrosyne” in the *Charmides*, one of Plato's early dialogues. Aristotle expressed *phronēsis* in his *Nicomachean Ethics* as follows:

“Whereas young people become accomplished in geometry and mathematics, and wise within these limits, prudent young people do not seem to be found. The reason is that prudence is concerned with particulars as well as universals, and particulars become known from experience, but a young person lacks experience, since some length of time is needed to produce it” (*Nicomachean Ethics* 1142 a).

additional questions guide this study to show ambiguities and misunderstanding of democratic principles and to facilitate historical, social, and conceptual examination of the basis of democratic education:

1. What ambiguities and difficulties have been salient and recurring in the phenomenon of segregation in conceptualizing democratic ideas of American public schooling?

2. How have the ambiguities and difficulties been dealt with in terms of the nature of human existence in the American public school system dominated by the capitalistic, social-Darwinian logic?

3. What notions of freedom, equality, and equity are implied in the nature of human existence and the mode of human existence within public schooling?

4. What relationship and criteria among democratic principles of freedom, equality, and equity make educational quality democratic enough to develop a students' excellence through substantive knowledge of democratic life and to lead his or her democratic life as a free and equal being, while satisfying the nature of democratic existence?

5. In terms of the public good and substantive knowledge of democratic life, how may the nature of democratic existence be conceptualized in terms of educational quality?

6. Finally, what can be an alternative public education for our democratic society?

The first course of action for this dissertation in Chapter 2 is to provide some bases for understanding the democratic nature of public school through exploring one of the salient and recurring phenomena in the history of American public schools. Segregation is examined in terms of the expected functions of public schools, like a melting pot or a social engine, mirroring each stream of social changes. The phenomenon of segregation may explain how social inequality has worked in the public school system and why democratic efforts made by public school systems have generated tensions and conflicts in terms of the pendulum between meritocracy and egalitarianism.

The second course of action in Chapter 3 is to examine the nature of human existence and its mode in the capitalistic democratic society. The causes of social inequality and the mechanism of its reproduction, assumed in segregation, are scrutinized in terms of two metaphors of the *Möbius strip* and the *Klein bottle*, while clarifying the hidden logic of “separate but equal” (Hendrie, 2003; Moses, 2004; Nicholson, 2005). For clarifying the nature of human existence, five sociological theories are scrutinized, including Marx, Durkheim, Weber, Simmel, and Freud. Further, the mode of human existence is provided in terms of sociological existence as an individual and social being and ontological nature as a relative and related being.

In Chapter 4, primary democratic concepts of freedom, equality, and equity are analyzed. The concepts are discussed in terms of the nature of human existence, suggesting a democratic mode of human existence in which freedom and equality are conceptually related, keeping a balance based on equity. In this democratic paradigm,

the conception of freedom can be divided into “freedom from” as a prerequisite to equality and “freedom to” as a necessary condition¹⁸ for balanced equality, while equality is embodied by “being free from,” providing the bases of being “free to,” on the bases of considerations for others as well as common good. Equity, as a balance point, is discussed in terms of the two democratic conceptions that need balancing.

In Chapter 5, educational democratic nature and educational quality is discussed in terms of the prior analyses of democratic conceptions. In the section on educational nature of democratic existence, each notion of democratic being and excellence as democratic knowledge is scrutinized in the educational sense, based on the democratic conceptions. To clarify what educational quality should be, the educational mode of democratic thinking is clarified in terms of measurability and educability of democratic excellence. This chapter makes clear the process of substantialization of democratic concepts to one’s life.

Finally, as a case study, *the Brown v. Board of Education* (1954) decision (referred to as the *Brown* decision) is examined and interpreted in terms of the educational perspective of democratic education.

18 Conditional function is expressed as $P \rightarrow Q$ (so-called ‘if ~then’). When this function is true, either $P \rightarrow \sim Q$ or $\sim P \rightarrow Q$ is false. However, $\sim P \rightarrow \sim Q$ is true. In this function, “P” can be a sufficient condition to make the function true while Q is a necessary condition to do it.

Chapter 2: Historical Exploration of the Democratic-Capitalistic Matrix of Public School

This chapter begins with a historical exploration of the democratic and capitalistic matrix of American public schools. Since the influx of continuous mass immigration in the first half of the 19th century, American public schools have been substantially constructed under the bases of both meritocratic and egalitarian policies. The trembling imbalances between these two policies have been accompanied by the recurrence of two salient phenomena: *separation* and *segregation* in the public school system. In this chapter, by diagnosing the paradigm behind the phenomena, I explore educational issues that have been historically and socially constructed.

Initiation to the Issues of Educational Paradigms

Democracy and capitalism have been interwoven in the warp and woof of the development of the American public school. From the initial stages, capitalistic democracy has bolstered meritocracy within public schools, which legitimized competition for selection as reasonable and fair (Chubb & Moe, 1990; Hirshman, 1969). At first, such a vertical ideology of meritocracy seemed to be in line with immigrants' aspirations for social promotion, supported by both social Darwinism for capitalism and individual freedom for democracy. On the other side, a horizontal ideology of egalitarianism can be said to have begun with "the multicultural metaphor

of *melting pot*”¹⁹ under the influences of the influx of continuous mass immigration since the first half of the 19th century. However, in light of the democratic conception of equality, the government’s egalitarian efforts were not embraced by most of the immigrant population who were looking to education as a way for social mobility. It can be reasonably said that the democratic ideology of the American public school system was formed upon both capitalistic meritocracy and multicultural egalitarianism. In spite of that, it should be pointed out that a balance between meritocracy and egalitarianism was not kept properly in that context and at that time. Here, I raise a radical question: Is it consistent with democratic thought to consider democratic ideology in terms of vertical meritocracy and horizontal egalitarianism?

If the conception of individual freedom is directed toward meritocracy, a vertical ideology, and if the conception of social equality is directed toward egalitarianism, a horizontal ideology, then taken together they would take the shape of (\perp) or (\oplus). The two ideologies have their own beginning and end points, reflecting a linear way of thinking, with no relationship between the two ideologies, much less balance. In fact, the two lines cannot be in balance. In other words, to keep the balance between meritocracy and egalitarianism and further between freedom and equality would require that the conceptions have the same trajectory or line. However, each line requires assumptions, conceptions, and interpretations quite different from

19 ‘Multiculturalism’ generally refers to the acceptance of various cultural divisions for the sake of diversity that applies to the demographic make-up of a specific place, usually at the scale of an organization such as a school or nation. (<http://en.wikipedia.org/wiki/Multiculturalism>).

the other. Meritocracy assumes that some will be above or below others on a vertical line, whereas egalitarianism assumes a horizontal sameness or equity.

When reconsidering the context of the early period of the 19th century in terms of democratic principles, meritocracy in the public school system was a persuasive ideal both to the government and to the public. For the public, including most of the newly immigrated peoples, a meritocratic school system was considered a vital pathway to social promotion (Spring, 1997). For the government, meritocracy legitimized a plausible way to select the *elite* or the talented students who were urgently needed for the construction of national power. In this context, egalitarian policy, characterized by the *melting pot* metaphor, was provided to hold meritocracy in check. However, the policy could not avoid being in dispute from the beginning due to assimilative tendencies. Specifically, the notion of “melting” raised the issue of identity for many Americans.

For example, Crèvecoeur (1782), who used the word *melted* first in his *Letters from an American Farmer*, defined the American as

leaving behind him all his ancient prejudices and manners, receives new ones from the new mode of life he has embraced, the government he obeys, and the new rank he holds. Here individuals of all nations are *melted* into a new race of men, whose labors and posterity will one day cause great changes in the world. (Letter III)

In this assimilationist view, the notion of melting pot was regarded as advantageous both to the government and to the immigrated people. On the contrary, multiculturalists considered the notion of melting pot as oppressive in that most of immigrated people wanted to be mixed and amalgamated without any other

interventions, as the government declared (eg. Zangwil, 1909). To them, melting pot ideology might have been seen as more than mere Americanization, but as a process of forced assimilation to the dominant culture. Even if the intent of the melting pot policy was to prevent ethnic segregation and social problems and to unite diverse peoples as Americans, the diverse reaction to melting pot ideology gave advance notice of “separate but equal,” while instigating some of the immigrants to resist and repulse government’s egalitarian efforts.

What if one raised the question, “What characterizes an American?” instead of “Who is an American?” to move in the direction of the question, “What would be a better policy to help integrate the immigrated public as democratic American people, particularly given the tensions between assimilation and multiculturalism?” “Can we suggest a better way to deal with the tensions between meritocracy and egalitarianism that arose during that time and in that context?” These questions are not intended for assessing whether or not the melting pot was successful. Rather, they are intended to identify where the pivotal point is for solving unresolved problems, like segregation, that continue to plague the American public schools.

It is possible to argue, given the importance of mutual knowledge or dialogues (Foucault, 1969, 1971; Habermas, 1981), that both the peoples and the government at that time were not prepared for the sharp conflicts of democratic ideologies they experienced. Actually, this could be one of the powerful reasons to have legitimized why the public school should exist for democratic and multicultural society. However, if the resistance by some immigrants to the melting pot idea was caused by

misunderstandings of other cultures or lack of communicative competence,²⁰ then the problems of separation and segregation would have already been solved through their common experience of public schooling. Meanwhile, one may further argue that the heart of the problem could have been found in practical knowledge through dialogue (Freire, 1970). Even in this case, we have to clarify what the term *democratic* means in the context of the public school system.

When considering the unfinished educational problem of segregation in terms of democratic ideologies, including both meritocracy and egalitarianism, the tensions between democracy and capitalism become clear. As seen in the case of the melting pot, egalitarian ideology supported by democratic principles seems not to have been combined with multiculturalism until the *Brown* (1954) decision. Of course, the common school movement, which emerged in the 1830s, ignited the idea of developing democratic minds through the public schools. Still, the salient phenomenon to emerge in the public school system can be said to be “separate but equal.” Although the common school movement sought to make democracy a cornerstone of education, it was the *Brown* decision that served as a bridgehead for democratic interpretations, driven by the capitalistic and multicultural context. I argue that, after the *Brown* decision, which sought to uproot the consequences of “separate

20 Habermas (1981) argued that communicative action took the place of revolution as mode of change, while supporting rationalization, humanization, and democratization of society through institutionalization of the potential for rationality that was inherent in the communicative competence. However, can we be optimistic about the new era of political community that transcends the nation-state based on ethnic and cultural likeness for one based on the equal rights and obligations of legally vested citizens? Is it possible without substantive bases of freedom?

but equal,” a new phenomenon, segregation emerged swiftly to take its place. Segregation’s convergence to individual differences concerning socioeconomic inequality and divergence to multicultural context of social equality has been salient.²¹

It became clear that one cannot clearly diagnose the core of these educational problems in a given time and in a given context. However, when focused on democratic principles rather than the problems themselves, one can see that the problems of separation and segregation are integrally related to the democratic issues of inequality and further unfairness. There have been a variety of interpretations on malfunctions of public schooling, concerning reproduction of inequality or the existing power system through social structure, historical traditions, the economic system or cultural legacy, and so on. In an effort to avoid confusion, I had to determine how and to what extent the educational problems are distinct from social ones, and to what extent the public school system has been plagued by separation and segregation.

To begin, my historical examinations in terms of a democratic legacy led me to understand that the American public school establishment unintentionally has created the problem of segregation in the swing of the pendulum between meritocracy and egalitarianism. Based on that thinking, I argue that the core problems related to

²¹ I assume that the phenomenon of convergence of general inequity with socioeconomic inequality is primarily related to segregation, as mentioned above. Even if the phenomenon of divergence of socioeconomic inequality into multi-social contexts has not been paid attention, it is surely caused by segregation. Also, I think that these two sub-phenomena drawn from segregation have a causal relationship.

segregation as well as to the imbalances between meritocracy, a vertical ideology, and egalitarianism, a horizontal ideology, have been the result of this contradictory paradigm twisted by political and social intentions or personal interests. The primary reason I emphasize the importance of the paradigm is that it connotes and denotes the purpose, the substance, and the procedure in the relationship between democracy and capitalism.

More specifically, in a paradigm, purposes define the substance and procedure, enabling the substance to be accomplished in compliance with its purposes. For example, however excellent the procedure suggested may be, it would be not only unreasonable but also useless for the procedure to be separated from its purposes and substance. Similarly, insofar as we assume the balance between democratic principles and educational policies, such as meritocracy and egalitarianism, we also presuppose that such principles and policies should be both conceptually and practically related to each other. Speaking more precisely, to ensure balance among the democratic principles, individual freedom should be on the same line as social equality, as should meritocracy with egalitarianism. It is the criteria for balance that allows a differentiation of social equality from educational equality.

As examined previously, if in the paradigm of democracy balance is needed, then the principles represented by a vertical line and horizontal line with an intersection like (\perp) or (\oplus) cannot be used. To examine the democratic nature of American public schools, first, we may point out the linear paradigm, in which either democracy or capitalism is assumed to have respectively different starting points and

different perspectives from each other without any relationship. In this paradigm, either meritocracy or egalitarianism is regarded as discrete from or contradictory with the other, implying that the policies lack any conceptual and practical relationship with each other. However, there is another, perhaps more helpful way to see the relationship between these two policies. If we consider meritocracy and egalitarianism as two points of a triangle, then a conceptual and practical relation would exist. The question then would be, “What occupies the balance point of the triangle?”

Thinking of the paradigm as a triangle (\triangle) enables us to imagine the nature of democracy as a balancing point situated in the apex of a triangle, with meritocracy on one side and egalitarianism on the other side forming its base line. As such, this paradigm implies two situations. One is the situation which is controlled by top-down policy and the other is the one in which the nature of democracy is defined by the nature of democratic ideologies at both ends. However, without the clarification and agreement concerning what counts as democratic nature, neither meritocracy nor egalitarianism can be legitimized as democratic. Moreover, until the paradigm is rethought in terms of balance, it may continue to generate different diagnoses and prescriptions in policy, as if each policy were subject to a different diagnosis (Stutz, 2004; Tyack & Cuban, 1995), while allowing us to conclude that a meritocratic policy is not compatible with an egalitarian one.

My position is that the conceptual and substantive discontinuations between the democratic conceptions are the result of the ambiguities of each concept. Now, if

we rethink the paradigm in terms of balance, things shift. The shape of a reverse triangle (∇), in which a balancing point is at the lower end, keeps the balance between meritocracy and egalitarianism, emphasizing the importance of both concepts to American democracy. Whether both ends in the baseline keep a balance depends on the substantive relationship between the two ends based on the balancing point. This paradigm indicates that to be democratic based on equity, for example, freedom should be kept in balance with equality. If it is clarified how each democratic conception is substantiated, we may find the clue of bottom-up policy.

To examine the democratic nature of the American public school, it is necessary to diagnose what has been problematic, while trying to find out what the educators had regarded as the best criteria. It is reasonable to say that American educational problems have had “different diagnoses and solutions” (Tyack & Cuban, 1995, p. 48) in that educational problems are hard to differentiate from social problems. In reality, student groups not only reflect class and culture differences but also are the principal vehicles through which society manifests within the system (Cusick, 1992).

Thus, to diagnose educational problems requires elucidating the ambiguities and tensions that tie educational issues and problems historically and socially to broader society. Because many educational problems are generally seen as the problems historically and socially constructed in the public school context and also as problems drawn from social systems, I start by clarifying how and why the problems have been formulated and repeated in the capitalistic and multicultural context. Doing

so allows one to grasp and delineate the coordinates of the purpose of democratic education within its democratic context.²²

Two Historically and Socially Recurring Problems

Historically, the process of implementing democratic principles into public school systems was the process of reconciling the conflicts between meritocracy and egalitarianism. These conflicts have represented the practical tensions between freedom and equality in democratic principles. As Aristotle prescribed in *Politics* (viii, p. 163), public schooling has been related to democracy, for democracy is just that which makes the public school specifically what it is; its public character makes it a resource for all, and it continues to maintain that character. Unlike some romantic expectations regarding the compatibility of capitalism with democracy, the systematic changes and reformative efforts for democratic education have continuously stimulated inequality, resulting in two phenomena: *separation* and *segregation*.

I begin with the historical examination with an argument that separation and segregation are caused by an imbalance between democratic principles and, consequently, an imbalance between meritocracy and egalitarianism. In this section, I specify through the phenomena that the imbalance stems substantively from

22 To clarify educational problems, I scrutinize the question of what constitutes democratic knowledge in Chapter 5. It is not necessary that democratic knowledge be identified with or quantified into academic achievement. Rather, it is necessary to acknowledge how the knowledge should be internalized in our way of thinking. Indeed, children in a democratic society should be initiated to the democratic way of thinking and living in order to make themselves internalize democratic ideology as the way to live with human dignity.

conceptual ambiguities in democratic principles in the public school context, and, consequently, from unintended alienation of public schooling from democratic life. Substantive ambiguities indicate that democratic conceptions, such as freedom and equality, have not been clarified enough to be internalized in each student's way of thinking and way of living. Further, the alienation of schooling from democratic life is related to a radial question: "Will our children be able to deal with all the tensions and conflicts in their social lives in democratic way, when capitalistic logic takes priority over democracy?" Addressing this question requires an examination of the means to an end in the public school system.

Separation of egalitarianism from meritocracy. American public schools have made use of social phenomena as solutions or means to an end. In particular, the public schools have used the democratic principles of meritocracy and egalitarianism to achieve the end of a better society. At the same time, these same democratic principles have played as the means to an end of capitalistic logic supported by social Darwinism. Inevitably, tensions have emerged between the government's goal of social equality and the public's freedom to seek social mobility. As a result, the invisible logic underlying the rationale provided by the public school for keeping the balance between meritocracy and egalitarianism was *separate but equal*. Below, the assumptions and tensions involved in the doctrine are elucidated.

In the late 18th century after the Declaration of Independence (1776) was signed, educators, including Thomas Jefferson, Benjamin Rush, and Noah Webster, advocated a two-pronged policy: meritocracy for the elite and egalitarianism for the

public. To consolidate the national foundation and support the development of political beliefs, the government needed to provide the public with reading and writing skills (Allmendinger, 1971; Spring, 1997). Additionally, the government needed a mechanism for selecting and promoting the talented into a social hierarchy. This is described in great detail in the Bill for the More General Diffusion of Knowledge (1778) and in *Notes on the State of Virginia* (Jefferson, 1801). Although in general the public was believed to need only a very limited education (Jefferson, 1801), systems were put in place to select distinguished students among the poor (Allmendinger, 1971). Meritocracy was stimulated by the tensions between the government's need for the talented elite and the public's aspirations for social and economic promotion.

Meanwhile, when the first meritocratic schools, like the Latin Grammar School (1635) for the sons of certain social classes, the first free school (1635), and the first public high school (1821) were opened, they were highly localized (Tyack, 1974), involving separation. For example, in the first comprehensive system of urban schools in Boston, established after the Massachusetts Education Act (1789), African American families asked for segregated education²³ for their children because of “their economically disadvantaged condition and racial prejudices of the white community” (Spring, 1997, p. 95).

23 In rural areas, there was rarely any schools for African-American and, also, education was not compulsory (Anderson, 1988).

This initial separation reflected a desire to narrow the economic and social distances generated by inequality socially and historically constructed at the time. By the 1820s, a separated education resulted in an inferior education in both the quality of education and the physical conditions of their schools, assuming a transformed conception of separation (Anderson, 1988; Jaynes & Williams, 1989; Myrdal, 1944). Unlike the initial conception of separation related to social inequality, the transformed conception indicated inequality generated through the public school systems. Social inequality was transferred into educational inequality.

It was the common school movement advocated by Horace Mann that was supported under the egalitarian school movement. The criterion of “common” was identical with the “same treatment” (Meier et al., 2004; Neill, 2004; Olson, 2004; Spring, 1997; Tocqueville, 1984) given for “equal opportunity” to eliminate distinctions among economic classes and so to promote equality of economic opportunity (Benton & Hacker, 2004; Cheryl, 2004; Chong, 2005; Cusick, 1992; Fallon, 2004; Fryer, 2005; Kimball, 2004; Kozol, 2005; Neill, 2004; Visalia, 2004). For the same treatment, for example, state boarding schools required that all children attend the same type of school (Spring, 1997, pp. 170-176). Here again, the meaning of equality was defined as the same treatment regardless of one’s social status. In this context, the “same” treatment has two implications for the expectations of “Who is an American?” as mentioned in the Crèvecoeur’s (1782) statement and, “To what should one be the same to be an American?”

One implication for “Who is an American?” reflects the school reformers’ political intentions to Americanize the public through Anglo-Saxon culture, which at the time was considered by the status quo to be superior to other cultures. The reformers’ intentions were focused on the formation of American identity, whereas the public’s focus was an expectation of socioeconomic success, indicating that public school became a vital means to each end, whether political or socioeconomic. Interestingly, while some conceived education as a means for supporting the American democracy, neither the governments’ desire to assimilate nor the public’s desire to improve social status through education allowed space for the development of a democratic character.

The other implication for “To what should one be the same to be an American?” is related to equal opportunity. It is ironic that the criterion of equal opportunity, either cultural assimilation or sameness, when partnered with meritocracy, stimulated the logic of the survival of the fittest supported by biological determinism (Gould, 1976). The conception of equality opened an opportunity for supporters of social Darwinism. The combination of these two conceptions had an unintended consequence, in that the public would never be free from inequality because equal opportunity is separated from freedom of choice that can be effective by freedom from ignorance as much as possible.

Despite the reformers’ ardent attempts for equal opportunity, no substantive changes were made toward democratic life in the students’ existential lives and sociocultural realities, except for a structural reformation of school. To enable all

children to be treated with equality, the reformers should have enabled them and their families to choose how they were educated, rather than forcing them to be placed under the same conditions. In the educational context, this implies that “being equal” necessitates “being equally treated.” Besides, to treat all students with equality, it is necessary to explore and understand the existential lives of the immigrants rather than to prescribe something as desirable for them in terms of the status quo, especially in heterogeneous situations such as religious climate and socioeconomic status.²⁴ Choosing for them was tantamount to forced freedom of choice or controlled freedom and, as a result, could not allow equal opportunity.²⁵

Jacksonian democracy, by signifying that all human beings were of essentially equal talents and rights (Heffner, 1984, p. 10), made efforts to implement the democratic conception of human nature to the public school context. However, it was insufficiently solidified in the public mind. Instead, educational directions toward democracy were interwoven with socioeconomic issues and were melted into the capitalistic structure. In such a context, the notion of the survival of the fittest was legitimized, representing educational policy with the shape of (\perp) or (\top). After the

24 An Oregon schoolman’s statement in 1926 in his letter: “The paradox of American education is that it asks for education for all, yet urges that control of the educational system be placed in a bureaucracy. (Raymer, R. L. (1922). Superintendency in Oregon, 154-5, 138; Letter from Robert Ginter to ed., Portland Telegram, Oct. 23 (Tyack, 1974).

25 I argue that equality in the educational context necessitates educational sense of freedom from some kinds of restrictions, including ignorance of what was good for them in the complex new society (Tyack, p. 21). Based on both ‘freed to’ and ‘free from’ (Berlin, 1969), I will develop an educational continuum of freedom and equality in the Chapter 4.

Civil War and two World Wars,²⁶ the direction of democratic schooling took the shape of triangle, tilting back and forth like the movement of pendulum between meritocracy and egalitarianism.

It is curious that the conceptions of equality in each case, including equal opportunity and equal treatment, were identified and used only as a necessary condition, rather than as a sufficient one. It is equally curious that we continue to have not only conflicts between meritocracy-directed freedom and egalitarianism-directed equality but also discords between the social purposes and functions of public schools (Adler, 1982; Coleman, 1969; Powell, Kearney, & Kay, 2001; Weinberg, 1976). Here, *separation* just leads us to a logic where increased individualism results in decreased egalitarianism because both economic power and social mobility are based on competition in the utilitarian ground and because equal opportunity is based on the capitalistic logic supported by social Darwinism.

“Segregation”: Convergence to individual and divergence to society.

Although separation was a salient phenomenon in the public school system, legal supports for human rights were provided through the definition of citizenship by the 14th Amendment (1868) and the Constitutional protection of voting rights attempted in the 15th Amendment (1870). The *Plessy vs. Ferguson* (1896) decision, which advocated the doctrine of “separate but equal,” seems not to have considered that

26 What stimulated the Americans to face with real democracy is reasonably thought to have been the Civil War. The severe hardships many Americans endured during the Civil War provided more extended democratic conceptions of the public and encouraged the Americans to risk their lives with for the just cause of democracy.

separation would undermine equality. The criteria of equality were the same distribution of physical conditions or facilities. Since the *Brown* decision of 1954, a child's existential condition in the multicultural context has begun to be seriously taken into account in terms of democratic principles.

By the mid of 1950s when the *Brown* decision was made, the questions proposed in the melting pot debates (including "Who is an American?") and those posed through the doctrine of "separate but equal" ("What conditions make schools equal?") were replaced by questions like, "How should a child be treated to be equitable?" This change in the line of questioning represents transference of the focus of democratic education from national identity through educational conditions to equity.

Segregation and equity have remained persistent and sharp issues since the *Brown* decision (Adler, 1982; Coleman, 1969; Powell et al., 2001; Weinberg, 1976). Many scholars have asked why segregation has been so constant despite great egalitarian policies in education (Coleman, 1969; Cooper & Patterson, 1981; Hanushek, 2000; Hutmacher & Bottani, 2001; Persell, 1977; Rodriguez, 1986), and have concluded that the composite issues of socioeconomic status are key (Brown & Harris, 2004; Hendrie, 2003; Kozol, 2005; Urbon, 2004). This trend of research has demonstrated a recurring subphenomenon of segregation, a convergence of general inequity with socioeconomic inequality.

A notable aspect of the above cited research on segregation is that the convergence of general inequity with socioeconomic inequality leads to the

divergence of socioeconomic inequality into multisocial contexts, mixing race, ethnicity, gender, and culture with more generic or environmental influences, like education and residence place (Adler, 1982; Cusick, 1992; Kosar, 2003; Persell, 1977; Powell et al., 2001; Rodriguez, 1986). In the subphenomena of segregation, including both convergence and divergence, capitalistic notions of inequity based on socioeconomic status are legitimized as fair, though the roles of other identity and environmental factors are not as well clarified. To better understand segregation with those two subphenomena, segregation after the *Brown* (1954) decision, differentiated from separation before the *Brown* decision, can be scrutinized in terms of meritocracy and egalitarianism.

Following the *Brown* decision, the federal government implemented a meritocratic policy of “solution,” drawn primarily from the National Defense Education Act (1958), representing the governmental interventions to public schooling through capitalistic logic for productivity and efficiency (Hutmacher, Cochrane, & Bottani, 2001; Spring, 1997). Naturally, school achievement became the core issue, presaging the means-to-an-end relationship between school achievement and socioeconomic success. Besides, following the reaffirmation of voting rights by the Civil Rights Act (1964), the more egalitarian policies associated with President Johnson’s War on Poverty were advocated by the Economic Opportunity Act (1964) and the Elementary and Secondary Education Act (1965). These legal and educational supports aided the *Brown* decision to be institutionalized to public school systems.

In addition to the combination of meritocracy and egalitarianism, systemic efforts for equity have been made in educational practices, such as Head Start programs, special funding for programs in local schools for the culturally disadvantaged, job-training programs, bilingual education, and multicultural education. Such egalitarian programs demonstrate a shift in the focus of public school policy from school facilities and curriculum to the special educational needs of children from disadvantaged families. Ironically, at the same time the more egalitarian programs were being implemented and Coleman (1966) was raising awareness about the importance of integrated schools through the *Coleman Report*, segregation was becoming a major educational issue. As I have argued above, there is an unfortunate relationship between egalitarian efforts and segregation, including the reproduction of social inequality (Bowles & Gintis, 1976). How can we explain this apparent contradiction of the unintended consequence from such egalitarian efforts?

What should be pointed out here is that unlike *separation*, in which both the government and the public held meritocratic ideals in common, *segregation* revealed the existence of divided opinions about egalitarian ideas, implying that the government and the public held conceptually and practically different perspectives on public schooling. A clue to a deeper understanding or interpretation of *segregation* may be the tendency that the two subphenomena have made explicit, in which individual differences have divergent effects on socioeconomic inequality. This causal relationship implies a simple conclusion that individual differences including family background lead to socioeconomic inequality. However, this is too simple an

explanation to explain how such unprecedented programs could result in continual public school segregation.

Put differently, when we pay attention to the unintended relationship between the two subphenomena (i.e., a convergence of general inequity with socioeconomic inequality and a divergence of socioeconomic inequality into multicultural contexts), *segregation* can be simplified into convergence to the individual differences and divergence to society, implying that segregation along with the subphenomena need to be interpreted in terms of the relationship between individual and society, a relationship like two sides of a coin. In order to examine segregation, it is necessary to uncover the nature of the democratic relationship between individuals and society. This can be accomplished by clarifying the ambiguities between conceptual and practical relationships rather than placing the focus on partial or consequential phenomena. However, for the purpose of this research, I will examine segregation in terms of the *Coleman Report* (Coleman, 1966) and *White flight*.

The *Coleman Report*, which showed the effects of family background on social success, provided a significant theory concerning the double-edged characteristics of the relationship between individual and society. Moreover, the effect of family background on social success is justified by the capitalistic logic supported by social Darwinism, like the interests of the strong and the survival of the fittest. Regardless of individual difference-directed policy or public unity-oriented policy, segregation has been a part of capitalistic-democratic society.

White flight (Coleman, 1975) is often described as the effect of the implementation of desegregation, involving busing students to achieve integrated schools and classrooms and to combat the inequalities associated with segregation. White flight, thus, characterizes the divergence of socioeconomic inequality to multicultural context. In this case, socioeconomic inequality says much more than capitalistic ideals, fortifying the causal relationship that has worked in segregation. In addition, egalitarian policy that once legitimized competition, supported by social Darwinism and by the utilitarian grounding that every one had an equal chance to develop to his or her fullest extent, showed the strong tendency to the subphenomena of convergence and divergence in segregation.

Furthermore, following a series of reports issued 1980s, including *A Nation at Risk* (National Commission on Excellence in Education, 1983) and *Action for Excellence*, the international economic competitions and the perceived academic decline of the public schools in the 1990s led to a focus on the issue of school quality. As a result, school quality became seen as a vital means to the end of equal opportunity. The pivotal issue of equal opportunity became strongly associated with efforts to improve educational quality. However, the “no exit” (i.e., no alternative) problem of segregation resulted in a situation where the government regulated competition, regardless of the school’s responsibility to develop each child’s potential through capitalistic logic.

Here, a retrospective view allows one to see an ironic phenomenon: Segregation has always been part of public schooling, despite different attempts and

efforts made in educational policy to integrate and to make public schools democratic. For example, the issues of excellence proposed in the 1980s led to calls for equal opportunity in the 1990s, similar to the swing of pendulum, discussed earlier concerning separation. Interestingly, the subphenomena of segregation (i.e., convergence to individual and divergence to society) had their own consistency.

In the 2000s, the combined policy of meritocracy and egalitarianism revealed a new trend in educational policy. The swing between equality and freedom was transformed. Former President Clinton placed higher priority on equal opportunity to improve school quality and also sought to create national standards for education. Thus equality and freedom were not competing ideologies. Under the No Child Left Behind Act (NCLB, 2002), public schools have focused specifically on maximizing equal opportunity of education through mandated testing systems. This raises an important question: What is keeping these policies from working properly?

We may identify various reasons for segregation, including racial prejudice (Howard, 2007; Marable, 2005; Patterson, 2001), socioeconomic status (Cusick, 1992; Kosar, 2003), lack of support for academic achievement (Frank, 2004; Gantz, 2004), and so on. However, all of these reasons lead into a circular argument. Even the capitalistic suggestion, which relies on a market system framework (Chubb & Moe, 1990), is biased because its primary intention is the support of individual freedom, not balancing with public equality. Regardless of the reasons for segregation, the unfinished issue of segregation, in and of itself, leaves us with the social problems that cannot be solved through traditional conceptions of school improvement or

higher test scores (Tyack & Cuban, 1995, p. 14), especially under the more accelerated convergence to segregated socioeconomic contexts.

Educational Issue: Causes of Separation from Equality

The history of the U.S. public school system examined above leads us to an assumption deeply rooted in American public educational policies: it is men's social being that determines their consciousness (Marx, 1978). In terms of equality, this assumption may explain the way the conceptions of equal opportunity and equal treatment have been used from the time of Americanization even after the *Brown* (1954) decision. Based on the assumption that one's social being determines one's consciousness, the conception of equality in the public school context can be seen as indistinguishable from "sameness" in the physical conditions or in the exterior facilities of a school. Meanwhile, the materialistic assumption, as seen in Marx's, seemed to fit the capitalistic logic supported by social Darwinism. This kind of thinking may also legitimize individual freedom by providing newly immigrated people, many of whom desperately struggled for their existence, with the rationale for seeking greater socioeconomic success. In this way, separation can be explained by capitalism.

Considered in terms of segregation along with the subphenomena or convergence and divergence, capitalistic Darwinism is supported by both individual freedom and equal opportunity. It would be hard to expect any significant changes in educational practice because segregation after the *Brown* decision was not just an

educational problem but a tendency constructed both historically and socially in society. This draws our attention to the lack of clarity concerning the educational sense of democratic concepts, particularly regarding individual freedom and equality.

The specific causes of segregation can be enumerated, including race, socioeconomic status, nationality, gender, and age. However, it is clear that behind the common “go to” causes of segregation we will find biased ways of thinking and prejudices. Recognizing what lies below the surface of segregation enables us to draw out an important educational conception of democratic education: to help free children from such biased thinking and prejudices and teach them to treat each other equally, while raising a radical question, “Do our public schools educate our children as democratic people who are free and equal beings in the capitalistic-democratic society, where freedom and equality seem contradictory with each other because of its capitalistic nature?”

In order to answer this question, we must raise another question, “Which makes a person democratic, socioeconomic success through higher academic achievement, family background, or race?” We know none of these conditions can be a primary cause of what makes a child a democratic person. Rather, these conditions are related to social inequality. Even if legislation is necessary to provide the disadvantaged with the rights to live democratic lives, it is not sufficient. How, then, can we support the development of our children into democratic people?

Segregation explains the alienation of educational quality from social and economic success as well as from academic success (Adler, 1982; Coleman, 1969;

Persell, 1977; Powell et al., 2001; Rodriguez, 1986; Weinberg, 1976). The current phenomenon of resegregation is institutionalized by regions and boundaries, such as school districts, school programs, and classrooms (Kozol, 2005; Nicholson, 2005; Orfield, 2006). Segregation also indicates that the structural tension between democracy and capitalism has been specified into substantial educational tension between democratic ideas and the reality of public lives.

Public schools are expected to provide substantive direction regarding how democratic principles work, what they are working toward, and how to proceed. In this sense, if the public mistakes the means of capital to be the end, then the problem is no longer one of a social nature but one of a moral and educational nature. Ideally, the public school would be the place where children become consciously aware of their priorities as democratic citizens, developing ways of thinking that support a democratic way of life. However, public schools have not fulfilled this role. It should be noted here that the conception of a democratic person involves a double nature of existence, where each person has both an individual and public nature. This dual nature includes both public living involving a collective sense and individual living that can be varied in one's internal and external conditions.

The historical exploration revealed that *segregation*, transformed from *separation* after the *Brown* decision, is one of the unintended consequences of educational policy resulting from the implementation of democratic ideas through meritocratic policies and egalitarian policies. This historical examination also reveals that public schooling has neither fulfilled the promise of democratic education nor

supported the democratic lives of public school children. It revealed further that tensions and problems were originally drawn from the relationship between individual and society, due in large part to the ambiguities of democratic conceptions used and implemented in the educational context.

Unlike *separation*, for which ambiguities and tensions behind educational policies based on democratic principles, *segregation* creates a scenario where all assumptions and educational practices fall into a circular argument with “no exit.” The unintended phenomenon, segregation, which appeared after the implementation of meritocratic and egalitarian purpose-driven educational policies leaves us to scrutinize the phenomenon in terms of the relationship between the individual and society in order to understand properly the democratic nature of American public schools and educational policy based on democratic principles. These issues comprise the motif of Chapter 3.

Chapter 3: Social Scrutiny of the Nature of Democratic-Capitalistic Structure

The purpose of this chapter is to elucidate the relationship between individual and society by scrutinizing the substantive nature of democratic-capitalistic society. To begin, social theories proposed by Marx, Durkheim, Weber, Simmel, and Freud are examined in terms of human nature in the democratic-capitalistic society. Then, the social structure of the democratic-capitalistic society is analyzed in terms of the metaphors of the Möbius strip and the Kline bottle. Both human nature and social structure enable us to draw the human existence and its mode in the democratic-capitalistic society, giving some insights into the limitations and the possibilities of what American public schools do for children.

Initiation to the Nature of Democratic-Capitalistic Structure

Chapter 2 explored how the democratic-capitalistic matrix of American public schools has been constructed historically in terms of both meritocratic and egalitarian policies. The imbalances between these two policies reflected the tension between freedom and equality, which has explicated the salient phenomenon, *segregation*, especially when egalitarian policies were implemented. Segregation, taking its form from *separation*,²⁷ had been salient since the egalitarian school reform of the common school movements in the 1830s and has been substantiated after desegregation policy

²⁷ The implication of two social phenomena, separation or segregation, will be specifically discussed in chapter 6, in terms of the *Brown* decision, implying that the phenomena have been an integral part of public schooling both in its social framework and in its substances, and that they have been reinforced and reproduced over time.

of the *Brown* (1954) decision. The assumption that the emergence of the phenomenon was primarily caused by the capitalistic-social Darwinian logic, combined with democratic ideology of the public schools, made it possible to argue that both separation and segregation were unintended consequences.

However, all the educational phenomena of inequality cannot be ascribed to the social nature in the educational context. Besides, the subphenomena of segregation, the convergence of general inequity with socioeconomic inequality and the divergence of socioeconomic inequality into multisocial contexts, generated circular arguments²⁸ while adding ambiguities in understanding the democratic ideals implemented into the public school system. Further, the circular arguments, in which social inequality is regressed to the individualistic problems or to educational problems, call for social scrutiny of the conflicting nature of the democratic-capitalistic structure. Meritocratic policies advocated inequality by individual freedom of choice, while egalitarian policies justified inequality by the capitalistic, social-Darwinian structure. To argue that both types of policies have legitimized inequality requires scrutinizing the nature of human existence in the democratic-capitalistic society.

Concerning the nature of human existence, according to Aristotle (*Politics* and *Nicomachean Ethics*), the human nature in a society should be defined by “being” in

28 It is a request for examining the original argument because they depend on the truth of the very matter in question (http://en.wikipedia.org/wiki/Begging_the_question). For example, one may argue that either separation or segregation can be legitimized as incompatible, by admitting the incompatible nature of democratic-capitalistic society.

the ontological sense.²⁹ What is noted here is that the nature of human existence assumed in the social theories cannot be applicable to the conception of child in the public school system. In terms of the democratic conception of human nature, *child* substantially refers to the being that cannot be free from his or her innate and environmental conditions. For example, school choice necessitates parental involvement, which justifies the influence of family background on the child's school achievement. Further, either the access to freedom or the exercise of freedom is mostly determined by what one *has*, while assuming inequality caused by individual differences, including innate qualities and environmental conditions. "How should we get our children to be free and equal in their own lives?"

To answer the above question, we should know first what determines one's democratic being or existence in a democratic-capitalistic society. Whether "one's consciousness determines one's substantive existence" (Marx, 1904, p. 11) or vice versa, *substantive existence* has been understood in terms of a dualistic conception of human nature,³⁰ an individual self and a social self, since the emergence of capitalism. This conception assumes a development from an individual self into a social self instead of a holistic conception of an individual and social being. Related to

29 One may argue that the focus of mode of human existence in the democratic-capitalistic society should be on the capitalistic nature. Even if capitalism is a polity, the capital is just a means to the end of human existence.

30 For example, when Rousseau says in his book, *On the Social Contract* (1762), "Man is born free; and everywhere he is in chains," we know that 'man' in the first clause refers to the original state of human existence with natural rights, whereas 'he' in the second clause to his/her social nature. This dual conception of human nature has been a tradition in so many social theories.

segregation, the social conceptions of human existence to be introduced here involve alienation (Durkheim, 1965; Freud, 1961; Marx, 1845; Simmel, 1908; Weber, 1905), which, as part of human nature, is discussed in terms of the nature of social structure.

The public school is encompassed not only by an individual child with each different potential, either innate or acquired, but also by a social child with a unique background. However, the historical exploration in Chapter 2 reflected that social inequality has been mostly caused the structural nature of democratic-capitalistic society, while representing an inversely proportional function in the relationship between individual and society. Even if it is reasonable to argue that the public school system is a miniature of society (Cusick, 1992), it should not be taken for granted that the school structurally reproduces inequality (Bowles & Gintis, 1978; Orfield, 1993; Young, 2002). What can we say for sure about the proper function of public school in the democratic-capitalistic society?

For this, I scrutinize the human nature and the social structure to clarify whether or not our public school system may provide a clue to solve such unconvincing and contradictory problems as segregation and to tell the limitations from the possibilities of democratic education. The nature of human existence is first scrutinized in terms of the structural nature of capitalistic-democratic society, based on some sociologists' theories, such as Marx, Durkheim, Weber, Simmel, and Freud. Next, social structure of the democratic-capitalistic society is examined in terms of the metaphors of the Möbius strip and the Klein bottle. Further, based on both human

nature and social structure, the mode of human existence is delineated in terms of *within* and *between*, drawn from the relationship between individual and society.

Substantive Human Nature Scrutinized

If even great egalitarian efforts cannot eradicate inequality in the capitalistic, social Darwinian structure, can we say that without capitalistic logic combined with social Darwinism, there would not be any inequality? We know another kind of inequality, caused by human nature, by which everyone relatively perceives in his or her context. The conception of alienation assumed in several sociological theories helps to introduce and explain the nature of human existence based on quadratic criteria, composed of *relative* and *related* nature, on one hand, and *within* and *between* framework, characterized by homogenous or heterogeneous relationship between the individual and society.

Human existence: Alienation of individual from society. This examination of the human nature in terms of the relationship between individual and society begins with the theories proposed by Marx, Durkheim, Weber, Simmel, and Freud, who tried to explicate human nature in terms of alienation from society. These sociologists saw human nature in a dualistic perspective, an individual being and a social being. It seemed the dualistic view of human nature enabled the sociologists to justify the conceptions of alienation, either alienation of individual by society or detachment of individuals for social structure, based on the cause and focus of alienation. Marx (1845) and Weber (1905) thought that alienation was caused by

society, whereas Durkheim's conception of detachment of individuals from society (1965) and Simmel's conception of isolation from sociation (1908) assume that individuals or their sociation is the cause of alienation. As alienation from self, Freud (1961) clarified alienation in terms of unconscious parts of his or her own self.

Alienation of individual by society. Marx (1845, 1944) saw the conception of human being in the capitalistic society in terms of alienation from capital, accompanying "the estrangement of labor from one's purpose of life by the mode of production of material life" (1944, p. 77). In this sense, he proposed that "what one is" coincides with "what one produces and with how one produces," supporting that one's existence in the capitalistic society depends on "the material conditions of life" (Tucker, 1978, p. 4). Marx (1845, 1859) emphasized the importance of environmental effects on one's life and thus tried to solve social problems through the removal of external differences in material conditions. Based on this, Marx argued that the completion of human existence as a free conscious producer could be reached under the context of freedom from all kinds of oppressed conditions (Tucker, 1978).

However, can the removal of material differences free one from all the desires for materials and from human nature, which is susceptible to environment? Even if Marx had wanted the people to recover humanity from alienations caused by capitalistic society, his materialistic conception of human nature restricted his suggestions for freedom from capital just to external conditions. Marx should have assumed that human nature was not always susceptible to society and further that alienation was not necessarily caused by the capitalistic structure.

Weber (1905) elucidated the spirit of capitalism in terms of the Puritan way of life and the nature of the capitalistic society. He thought that Puritan ethics of vocational calling would provide not only a causal rationale of breakdown from the greed for profit with minimum effort but also an empirical basis for a process of education and religious upbringing. Thus, he argued that the spirit of capitalism needed ascetic ideas and habits as a way of life common to whole groups. Further, Weber (1905, Chapter 2) “warned against ‘human nature toward material good’ that was so intimately bound up with the conditions of survival in the economic struggle for existence.” It was his warning against overturning the spirit into a means to economic gains and consequently against being trapped to rule-based rational control, named “an iron cage” (Bunyan, 1822, p. 44).

The iron-caged man, depersonalized as the consequences of inescapable rationalization and bureaucratization, represents Weber’s conception of human existence alienated from the capitalistic society. His conception indicates one’s alienation from oneself, the individual who could not take off at his or her own discretion in the capitalistic society, “the shell as hard as steel” (Bunyan, 1822, p. 45), while representing the divorce of humanity from the rationalized system. Here we can find a contradiction in Weber’s idea of Puritan ethics. For capitalism to have its spirit as a way of life through vocational calling, the value of economic gain should have been a means of existence, not an end of possession, because as he indicated, it is a long and arduous way to internalize how to live.

Individual's detachment from society. Focused on individuals as the cause of alienation, Durkheim (1965) emphasized social function. Durkheim (1960) claimed the society of an organic entity enabled “individual being who was fragile and weak to ‘transform automatically’ into social being who was moral and intelligent” (p. 200). For him, the society works through fierce competitions for the automatic subjugation to ‘the natural law’ [survival of the fittest or natural selection] in that the ties of individuals into groups generated social cohesion that arises from the social similarities (1960, p. 61), while “*automatically* producing cooperation towards social harmony” (1960, p. 200). Also, the society works ‘by division of labor’³¹ (1960, p. 22) for solidarity for equilibrium through its specific and natural functions by conformity of individual and collective conscience (1960, p. 192).

Alienation assumed in this conception of society may occur from the individual's detachment from society by unwillingness to accommodate himself or herself to be part of the organic entity of society. However, without the existence of a perfect society, Durkheim's (1960, 1965) theories cannot be applicable, implying that he regarded human existence only as functional to the society. As a result, he did not take into account the fierce competition for survival among individuals, whose desires for the fittest might stimulate more acute struggle for existence under the natural law. Durkheim's exaggeration of social function but his underestimation of the individual suggest a society exacerbated by absence of freedom and lack of humanitarian

³¹ Durkheim (1960) saw the division of labor as the source of social solidarity. (p. 22).

considerations, as seen in Huxley's (1974) *Brave New World* or Skinner's (1984) *Walden II*. Here, we see another alienation of the human being from his conceptions of social function and social structure.

Simmel (1908) argued that an individual was an isolated being with his or her social nature in the loci of all historical reality. For Simmel (1949), through the dynamics of sociation the mere aggregation of isolated individuals could be transformed into specific forms of being with and for one another, based on dual principles of diversity and interaction mode. The dynamics operate as follows: When focused on individual diversity, think of individual first over the form; when focused on individual interaction mode, prefer form to the individuals. In terms of the dynamics of sociation, Simmel's conception of the individual can be described as a dual nature: a convergent nature of "consensus and concord of interacting individuals" and a divergent nature of "total group-synthesis of persons, energies, and forms" (Wolff, 1950, part 5).

Simmel's ideas were based on his logic of the consistency of form and content, which means 'no objective content is realized by its own logic alone but only through the cooperation of historical and psychological forces' (Wolff, 1950, pp. 5-17). In this sense, what one shares with others and what distinguishes one from others is the inseparable unity of one's personal life.³² In terms of unity, Simmel (1908) argued

32 Based on his logic, Simmel emphasized the consistency of the nature of the social group with the sociation and the consistency of the mode of social interaction with the purpose or motive of the interaction. He added that unlike nearness and remoteness in the sociation which was based on strangeness and

that value is not contained within an individual object but rather is ‘a product of a process of comparison’ (Chapter 5), which means that value is relative and always determined by situations only within a dynamic of comparison. It is ironic that Simmel’s dynamic logic and relative value system imply that *alienation* assumed in his conception of human nature, as an isolated being continuously exists due to the dynamics to tend to change and the value system to be relatively opened to others.³³

Freud (1961), focused on interpreting people’s inside and outside, saw human nature as aggressive, destructive, fragile, and unknowable because of one’s own unconscious part named *id*, instinctual force. For Freud, the *id* alienates one’s unrecognized parts from one’s own life, whereas society is the place, dominated by both instantly controlled *ego* and constantly threatening *id*. The process of socialization is the process of making one’s unconscious parts conscious as well as the process of sublimation of *id* by the *ego* and the *superego*. Here, being conscious means having the consistency between one’s inside and outside, which is important to the existence as a social being.

Freud’s conception of the unconscious makes us frank to ourselves by inviting us to self-examine our inside. However, one cannot always know one’s own self by consciousness. Freud’s (1961) conception of social people who struggles for

distance, the sociation itself contains value as a product of a process of comparison, while individualized context does not have to contain any social values.

33 Even if Simmel declared to exchange a sociological structure as a primary form and function of inter-individual life and the impulse to sociability to distill the pure essence of association out of the realities of social life for the free association in which individuals play freely and are interactively interdependent, this declaration had its limitation due to his dynamic logic and value systems.

maintaining a balance between *eros* and death instinct, implies an inversely proportional relationship between individual and society as follows: The more socialized the society is, the less happy the individual is; more cohesion produces the stronger tendency of disintegration.

Retrospective examination of human existence. Without capitalistic logic combined with social Darwinism, would not there be any inequality, much less alienation? The examinations of the nature of human existence indicate several ways of understanding of inequality, based on each different conception of human nature. For instance, Marx's (1844) conception of human existence and the human relations to the world are explained in terms of "objectification of one's life"³⁴ as "an object of labor," which means that "man makes his life activity itself the object of his will and of his consciousness" (p. 76). However, his conception of objectification makes us doubt where such an estrangement or alienation comes from, when Marx justified alienation through objectification by arguing that labor was estranged from the object of one's life into mere means to one's existence.

Marx's materialistic conception of humanism seems to have justification in the logic of the means-and-ends continuum (Marx, 1844). In his conception of

34 Marx proposed that "man's relation to himself only becomes objective and real for him through his relation to the other man" (Marx, 1844, p. 78). Further, he argued that "each of his human relations to the world, all the organs of his individual being, like those organs which are directly social in their form, are in their objective orientation or in their orientation to the object, the appropriation of that object, the appropriation of the human world.; their orientation to the object is the manifestation of the human world (Marx, 1844. P. 87). In addition, Marx argued that "within the relationship of estranged labor each man views the other in accordance with the standard and the position" (1844, p. 77).

material, we can find out Rousseauian tint of nature.³⁵ However, unlike Rousseau, Marx argued that man makes “his activity a means to his existence” (Tucker, 1978, p. 77). It seems that it is the relationship of the material means to one’s existence rather than the material itself or the relationship between labor and production process that produces some kinds of alienated labor to one’s practical and ontological life, as seen in private property.

However, is it reasonable to objectify one’s consciousness by one’s life activity? Can all the human life-activity or the nature of human nature be objectified? What if one were alienated neither from “the product of labor” nor from “the process of production” (Marx, 1844, pp. 74-75), but from his objectification of one’s life in terms of labor? Further, what if one as “a species being” (Marx, 1843, pp. 33-39) was not always “conscious and free” in one’s ordinary life? Insofar as these questions remain without elucidation, Marx’s conception of human existence does not say what is meaningful.³⁶

Durkheim assumed, like Marx, a human being who is vulnerable to society. Unlike Marx, Durkheim assumed the society of an organic entity, well-organized by natural law and with cohesive power to make individuals have similarities. However,

35 When he said, the universality of man is in practice manifested in the universality which makes all nature his inorganic body-both inasmuch as nature is his direct means of life as well as the material, the object, and the instrument of his life-activity (as cited in Tucker, 1978, p. 75).

36 Even when one may say that Marx’s conception of estrangement of labor can be explained in terms of “private property” (1844, p. 79; 1852. pp. 263-266), it implies that Marx’s alienation is related to one’s desire or need to be superior to others and to have more than others, without any reference to objectification.

in such a society that may assign the right person to the right place, can we find a human being who struggles for a better self and for a better life for oneself and others? In a society where fierce competitions and conflicts by social-Darwinian logic are inevitable, can any diversity be allowed to the public? Even if so, how can the society deal with the diversity? Is it reasonable to objectify one's consciousness by one's life activity? Durkheim's exaggeration of the social function conceals its deprivation of freedom from the public. What would be the good of all human rights to the individuals who is only cognizant of dependence upon society "from which comes the forces which keep the individual in check and restrain the individual" (Durkheim, 1960, p. 401)?

Weber (1905) tried to bridge the gap between the large structure of society and individual social action and interaction in light of causal explanation not only on the relationship between inside one's life and outside life but also on the divorce of reason from morality under the conditions of modernity such as instrumental rationalization, intellectualization, and disenchantment (Gerth & Mills, 1958). He certainly knew how fragile an individual in the capitalist society was, but it is not clear if he knew that in a democratic-capitalistic society those who should live with freedom from greed for capital are the demagogues, who have still not been free from the iron cage.

Meanwhile, Simmel's (1908, 1949) conception of sociation, unlike Weber's symbolic interaction, emphasized the consistency between form and substance as well as between individual and group. This implies that the nature of sociation must be

determined by “who an individual is,” because the changeability from isolated individual to social beings depends on nearness and remoteness in terms of his conceptions of distance and strangeness. Unlike Weber, who longed for the advent of a strong leader, Simmel (1908) suggested bottom-up social change by narrowing social distances. However, his focus on an extrinsic and relative value system prevented him from describing the intrinsic value by which an isolated person may have his or her own value of life.

The examination of human existence reflects a lot of things to be unknown to us, making me doubt if it is reasonable to divide human existence into individual being and social being. In those social theories, an individual self in the capitalistic context is regarded as the one who is fragile (Weber, Freud), isolated but special (Simmel), and unknown (Freud), whereas a social self is regarded as a free and conscious being (Marx) or a moral and intelligent being (Durkheim). Besides, we cannot be free from our desires even in a restriction-free context, because one feels relative to others in society, implying that either what one has or where one resides, including workplaces or positions, does not wholly determine being free or equal.

In terms of the nature of human existence, each conception of alienation can be classified into two types: *relative*³⁷ and *related*. Alienation is said to come from one's desire *related to* the society or social structure and *relative to* others as follows. Marx's conception of alienation was related to society but relative to capital,

37 Here, the term of 'relative' has a different meaning from Simmel's conception of 'relative' in that Simmel's assumes 'relative' value system rather than the state of existence.

Durkheim's was totally related to similarity for social solidarity, Weber's was relative to greed but related to the iron cage, Simmel's was relative to others and related to diversity through sociation, and Freud's was relative to unconsciousness in a self.

The critical thing is to what and to whom one is relative. For example, the desire to get more than others is different from the desire to be better or improve. Further, whether one can be free and equal depend on the value criteria of the comparison, based on both intrinsic value which is related and relative to self and extrinsic value which is relative and related to others. This suggests that in terms of the nature of human existence, the democratic-capitalistic society apparently and unavoidably requires fierce competition, insofar as such a relative nature of human existence is related to one's self. In this sense, capitalism is a stimulus of alienation.

Meanwhile, the criterion of *related* implies that one can be either directed toward or influenced by individual existence or social need, while making us assume that alienation might be caused by sociopsychological conflicts in one's social relationship (Freud, 1961; Simmel, 1908; Weber, 1905), from the historical and sociological context (Simmel, 1908; Weber, 1905), or by the natural law that governs the capitalistic society (Durkheim, 1965; Weber, 1905), or by socioeconomic conditions (Marx, 1845). In next section concerning the mode of human existence, both the relative and related nature of human existence are discussed in terms of *within* and *between*, which implies the relationship between individual and society.

Mode of Human Existence: Relative and Related & Within and Between

The public school is a borderline, where a child may be developed from an individual self who may be fragile and weak, as Durkheim and Freud argued, greedy as Weber argued, isolated as Simmel argued, or aggressive and destructive as Freud argued, into a social self who is free and conscious as Marx argued, moral and intelligent as Durkheim argued, arduous at best but iron-caged at worst as Weber argued, or relative as Simmel argued.

In spite of that, a child who is subject to enter a school is already regarded as a social being in that the school a child entered reflects the social conditions the child has had, legitimizing inevitable segregation. The reason we should think of this seriously is that even if each child might be segregated in a capitalistic sense, he or she should not be segregated in a democratic sense. The reality says that the public school system is dominated by capitalistic logic but valued by democratic principles. In other words, each child in the public school has been treated in a capitalistic way and valued in a democratic way. How can public schools, as a quasi-society in the borderline between family and society, help the children, who are predestined to be alienated by the democratic-capitalistic society?

As examined above, neither any removal of differences in the materialistic conditions (Marx, 1844, 1859) nor automatic subjugations to the natural law and to the specific and natural functions in an organic entity (Durkheim, 1960, 1965) can be democratic. A strong leader or elite (Mill, 1956; Weber, 1905) cannot make everyone democratic, as proved by world history. To find a democratic way, we need to clarify

the nature of the democratic existence of a child. When a child is said to exist in a separated and segregated way, the nature of the child's separated and segregated existence needs to be clarified as the mode of existence by applying democratic principles to the nature of human existence.

Here, Aristotle's definition of distributive justice is suggestive, in which "equals should be treated equally and unequals unequally" (as cited in Howie, 1968, p. 24). Peters (1970) classified the definition as follows: "The first injunction refers to treatment *within* a category, the second to treatment *between* categories" (pp. 118-119). However, when considered in terms of sameness and difference, Peters' classification has limitations in that in terms of sameness, either *equal* or *unequal* can be classified as *within category*. Each category has same nature within its own category. Naturally, in terms of difference, *between categories* refers to both *equals* and *unequals*.

So, the categories of *within* and *between* can be understood in terms of sameness and difference that can be regarded as criterion and way of treatment, like this: On one hand, *within* which refers to a category classified by either sameness or difference can be specified into same treatment to the one who classified by sameness and into different treatment to the one who classified by difference. This indicates that the conception of equality assumed in separation or segregation is just a half-nature of equality in that the conceptions of equality in the phenomena were dealt with only as sameness.

On the other hand, *between* which refers to two categories classified by both sameness and differences needs criteria of division and dynamics. Here, we may find the criteria by combining categorization into *within* and *between* in the relationship between individual and society with the nature of human existence, *relative* and *related*. In this context, an individual and social being can be specified not only as the one who is subject to pertain to both equal and unequal qualities under the logic of *within* and *between*, but also as the one who is relative to and related with oneself in the individual sense as well as to and with others in the social sense. This implies that the existence mode of a child with every different condition and background should be determined by his or her nature of existence. Then, how is the mode of a child's existence demonstrated in a democratic way?

In terms of the mode of human existence specified in the basis of the nature of human existence, we have a quadruplet mode of human existence, composed of *within* with one origin and *between* with different origins which are categorized by the criteria of sameness and differences, on one hand, and *related* with/to self or others and *relative* to self or others which are based on the nature of human existence, on the other hand. Here are four components of the mode of existence: (a) within-related, (b) between-related, (c) within-relative, and (d) between-relative. This quadruplet mode of existence provides at least four possibilities to explain the mode of an individual and social being's existence in the democratic-capitalistic society.³⁸

38 Concerning 'dual nature from one origin', which refers to 'relative to or with others' or 'related to or with others' in the category of within, Socrates in

Further, this may explain why all the educational problems are so interlocking with social ones that we cannot figure out how the problem should be solved and where we can find a clue.

Concerning ‘dual nature from one origin’, which refers to ‘relative to/with others’ or ‘related to/with others’ in the category of *within*, Socrates in Plato’s early dialogues penetrated the dual nature as an individual and social being from an origin. For Socrates, everyone possesses the internal qualities ‘related to self’ (*Charmides* 156c-e, 168a-169a, 169e; *Lysis* 217c-218a) like senses which are passive (*Charmides* 167d, 169a; *Lysis* 221e), desire not only which possesses and the same quality as one’s self (*Lysis* 221b-222c) but also which always desires something (*Charmides* 153c, 156c-d; *Lysis* 221a, 221d-e). The objectification of desire depends on what one is in need, in which the object can be wisdom (*Charmides* 153d) that makes each quality whole in one’s self (*Charmides* 156c, 156e, 157), and beast-like appetite (*Charmides* 155c-e; 168e).

Plato’s early dialogues penetrated the dual nature as an individual and social being from an origin. For Socrates, everyone possesses the internal qualities ‘related to self’ (*Charmides* 156c-e, 168a-169e; *Lysis* 217c-218) like senses which are passive (*Charmides* 167d; *Lysis* 221e), desire not only which possesses and the same quality as one’s self (*Lysis* 221b-222c) but also which always desires something (*Charmides* 153c, 156c-d; *Lysis* 221a, 221d-e). The objectification of desire depends on what one is in need, in which the object can be wisdom (*Charmides* 153d) that makes each quality whole in one’s self (*Charmides* 156c-157), and beast-like appetite (*Charmides* 155c-e; 168e). According to Socrates, human being is continuously influenced by the nature, including the internal qualities, like senses, desire and even knowledge, all of which are related to or with and relative to or with the nature of self (*Charmides* 167c-e, 168d-e, 169a). Beside, by the nature of desire that cannot be filled or removed, one’s knowledge cannot but be in the process and also one cannot but return to the state of ignorance as its original state.

In this reason, Socrates says the nature of the ideal type of man in the *Lysis* as follows: a person who is neither completely good or wise nor completely evil or ignorant, but who is conscious of the evil present in him is a friend to the good on account of presence of evil (217b), and who desires the good for the sake of their assistance (218b; 219b). Based on this, we may formulate and demonstrate the mode of democratic existence like below.

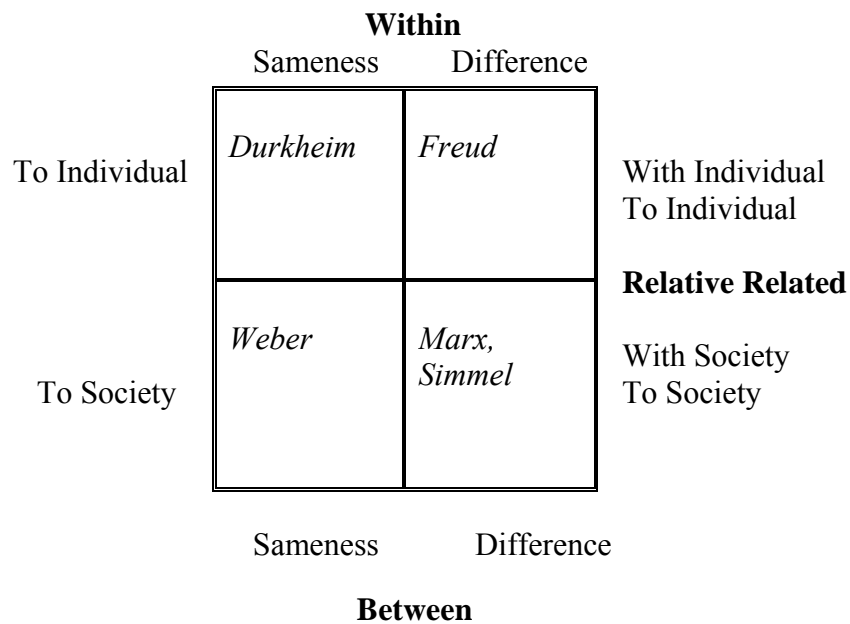


Figure 3. Mode of human existence.

This quadruplet mode of existence is based on two criteria: (a) the nature of human existence in the relationship between individual and society, which pertains to *relative* to (oneself or others) and *related* (with or to oneself or others), and (b) the

categorization for the democratic existence based on distributive justice, which pertains to *within*, with one origin, and *between*, with different origin.

Figure 3 demonstrates the mode of human existence in the democratic-capitalistic society, which is dominated by social Darwinism. Figure 3 indicates the many sources of alienation at the minimum level in the relationship between individual and society. This mode reveals that all the problems in the relationship may be interlocking, while suggesting that democratic principles be considered in terms of all these internal and existential conditions. Besides, this mode suggests that both individual and society have its balancing point because this figure can also be the exit to liberate our children from any possible restrictions. This is the motif of Chapter 4.

Structural Examination of Social Phenomena: Möbius Strip and Klein Bottle

This section is intended for a structural examination of segregation to clarify the possibilities and limitations of the public school system for democratic ideals in the democratic-capitalistic society in terms of two metaphors: (a) the Möbius strip to explain the nature of existence under capitalistic-social Darwinian logic and (b) the Klein bottle for segregation as the mode of existence in the democratic-capitalistic society. Considered in the public school context, the capitalistic structure needs more developed interpretation based on democratic contexts.

Initiation to the structural problems and metaphors. The discussion of substantive human nature in the democratic-capitalistic society disclosed the

possibility of transference of alienation into segregation, in addition to the structural problem of society. Current school problems say that all of them are so interlocking with one another that we cannot figure out where the problems have to be solved. For example, most dropouts have disadvantaged backgrounds in their family, school, and social lives (Baca, 2004; Kimball, 2004; Maceri, 2004; Western, Kleykamp, & Rosenfeld, 2004). In the public school, dominated by capitalistic logic but valued by democratic ideology, students are confined in their untransformable situation, except only that they blame themselves as publicly regarded “losers,” who could not fulfill the responsibilities for their lives. These situations can be compared to the metaphor, *Möbius strip* (see Figure 4) and *Klein bottle* (see Figure 5).



Figure 4. Möbius strip.³⁹

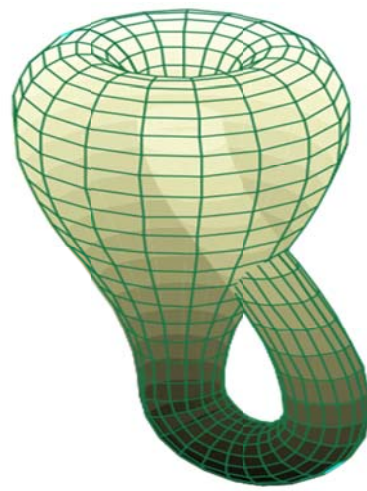


Figure 5. Klein bottle.⁴⁰

39 Photograph by David Benbennick, retrieved from Wikimedia Commons. Reproduced with permission.

40 Reproduced from Wikimedia Commons (“Klein Bottle,” 2008) with permission.

The Möbius strip is a once-twisted strip “with the property of being non-orientable” (Henle, 1994, p. 110), so that one cannot differentiate inside from outside or the starting point from the end point, while the Klein bottle is the three-dimensional version of the Möbius strip. The Möbius strip represents the nature of capitalistic structure, twisted by its combination with social Darwinism, while the Klein bottle demonstrates the social reality in the capitalistic society. Considered in terms of public school context, the Möbius strip delineates the ambiguities and vagueness of the problems caused by social alienation of self, while the Klein bottle explains the realities of segregation. In terms of segregation, these two twisted metaphors entail more tensions that might be caused by disintegrations drawn from the conflicts between one’s inside and outside as well as by detachment of children from the capitalistic context.

Segregation is a symbolic issue to criticize contradictions of democratic logic in the democratic public school system, in which children should be educated with human dignity, based on democratic principles. In a democratic society, public schooling is the only exit for public students alienated to escape from their oppressed situations under capitalism. The Möbius strip implies that all the problems imbedded in American public schools are so interlocked with capitalistic-social Darwinian logic that we cannot find out the starting point or the clue to straighten out the tangle. As examined in the previous chapter, the school phenomena are too complex to tell which may be the primary causes of the problems: society, individual, or social structure. Considered in terms of the nature of human existence, the strip symbolizes

alienation of human nature from society. Now, I discuss segregation in terms of the Möbius strip and the Klein bottle.

Analyses of Möbius strip and Klein bottle in terms of social structure. The history of educational reforms shows that the efforts made by American public schools have not necessarily entailed a change in substance. Under the influence of the capitalistic structure supported by social Darwinism, the efforts made by the public schools to solve social problems, as a means to the end of better society, resulted in manifestation of tension between the government's intent towards common good and the public's expectations of social mobility. Besides, the educational efforts to keep the balance between meritocracy and egalitarianism ironically resulted in segregation. American public schools have perpetuated and reproduced some contradictory ideologies and mechanisms in the synchronic and diachronic sense. Here, the structural characteristics causing the contradictory social phenomena are further examined in terms of the two metaphors in order to find out an exit in the different level.

Möbius strip: Nature of existence. The metaphor of the Möbius strip represents the reality of the oppressed, who cannot help but stay in their places, however hard they may make efforts to escape the places, where they are oppressed. It elucidates the once-twisted way of thinking in our understanding of the reality of segregation, suggesting that we should find a different way of thinking. The Möbius strip in the social perspective explains a cycle of regression of social concern to

individual concern, like the strip with a surface of only one side and only one boundary component.

In terms of social structure, the Möbius strip demonstrates developmental process. As the starting point, the stage of infinities (∞) of structural inequality, caused by capitalism combined with social Darwinism, has its consequence of regression to the original point due to its once-twisted nature. When dissected, the strip becomes a prolonged and twice-twisted strip by its length, instead of being divided into two strips. This strip has an implication that this stage of reproduction of inequality caused by continuous “separate but equal” represents its prolonged regression to the original point with twice-twisted inequality. Further, when dissected again, each strip creates another Möbius strip, connected to each strip, without a further prolonged and twisted strip.

Attenuated enlargement of the strip with twice-twisted strip but without further prolonged strip, represents the nature of diversity. This stage of the strip, in which each strip that is twice-twisted is connected to the other strips, symbolizing diversity under the unchangeable structure, which suggests diverged units which has been connected with one another in structure but specialized by the characteristics of each unit. In this sense, the Möbius strip suggests that our focus of public education should be given to diversity, requiring a conception of excellence in terms of diversity.

Under the social structure, we assume that democratic concepts in capitalistic society may have the cycle of regression from social ideals to individual reality by breaking the relationship with social structure of equality, as the aftermath of the

close relationship of public schooling with social stratification. The relationship between school quality and equality has been constructed in the public school contexts. The Möbius strip represents how the U.S. public school system is bound to lose its starting point of solution because all the issues concerning equality are only converged to socioeconomic success. Yet, all the responsibilities concerning children in the public school system should be ascribed to the public school. The public school should exist for the children, not the system.

Segregation mentioned in Chapter 2 helps to explain why public schools have made few changes in terms of academic achievement, especially by disadvantaged children, pointing out conceptual ambiguities in understanding democratic principles, which involves inequality legitimized by egalitarian ideology supported by capitalistic logic. This ironic reality involves that inequality has been interpreted as natural inequality rather than as a socially created or accumulated inequality. As a result, the phrase compels us to interpret equality just as sameness or same treatment, as shown in the cases of *Hernandez v. Texas* (1954) and *Brown v. Board of Education* (1954) in terms of racism, while accepting systemic oppression as fairness. Inequality caused by segregation can be found in regions divided by socioeconomic status, which worsens substantial fairness by the logic of a tolerable rationale for the perpetuation of a dual system in American society between public and private (Kozol, 2005). The metaphor of the Möbius strip implies that educational issues assumed in the public school are convergent to social-economic inequalities, which are divergent to diverse contexts, as examined as subphenomena of segregation.

Klein bottle: Mode of existence. The phenomenon of segregation in American public schools can be explained by the metaphor of the Klein bottle. The Klein bottle, a one-sided surface made from a pair of Möbius loops, has a closed, nonorientable, boundless mathematical manifold. This bottle symbolizes no exit, indicating that insofar as one cannot be escapable from the social structure, the one is compelled to be shut in Klein bottle. Unlike the iron cage that traps individuals in systems based purely on teleological efficiency, rational calculation, and control, the Klein bottle reflects a life locked by three-dimensional segregations of a public and individual, family, and society.

Segregation in terms of the Klein bottle is a much more serious phenomenon than segregation in terms of the Möbius strip. The three-dimensional social lives assumed in the Klein bottle explain alienation and detachment from the capitalistic context. In this sense, Klein bottle suggests that if the capitalistic logic is inevitably applied to our social lives, our efforts for our children should begin with the objectification and valuation of democratic ideals in the public school, where everyone is supposed to have democratic rights of freedom and equality and to be treated with those democratic principles.

After White flight in the 1960s, the rapid exodus of Whites from big cities into the suburbs, segregation seems to have kept its place in the public system through a transformed logic of “proportional equality.” This implies that White flight was not a geographical or residential exodus (Flemming, 1974; Schemo, 2001; Schmitt, 2001) in that the exodus substantially entailed systemic segregation, which

reproduced continuously in the individual, family, and social levels by socioeconomic status, education, and race. The *Milliken v. Bradley* (1974) decision⁴¹ reflected a consequence of such systemic segregation; large urban school districts with a largely minority school population could not be desegregated if such desegregation did not accompany a “change in residential segregation and economic discrimination” (Schemo, 2001).

Currently, the problems caused by segregation seem to be aggravated by the lack of fairer criteria than testing. Both test scores and passing rates are devices of creating segregation and legitimizing inequality through the retention rate (Urban, 2004). Further, segregation indicates that testing dehumanizes children rather than liberating them. Likewise, the Klein bottle shows substantialized reality of once-twisted socioeconomic inequality in the capitalistic-democratic society. The metaphor of the Klein bottle implies that the more segregated, the more dehumanized, resulting in producing a more alienated public in spite of democratic contexts.

Consequences: Existing and anticipated. What was problematic in our school realities and why could not all the practical efforts be productive? In terms of human nature in the capitalistic society, segregation has produced a systemized individual and social being who is destined to be put in the Klein bottle, by the logic of Möbius strip. Insofar as capitalism is supported by social Darwinism, the social structure

41 *Milliken v. Bradley* (1974) involved efforts of the Detroit, Michigan, school board to seek a metropolitan remedy to desegregate its school population. The Court refused such a remedy by restricting the desegregation to a single school district, and it rejected a metropolitan school desegregation plan (Flemming, 1974).

would dominate the public, because the color of students, their families, and the economic deterioration are “all interconnected” explanations as to why urban school districts get more and more segregated (Chapman, 2005, p. 31). Paradoxically, this suggests that the efforts for change should be made at least in the three dimensions, individual, family, and social, as seen in the phenomena of segregation, rather than any institutional reformation limited to any one level.

In terms of the democratic-capitalistic context, another function may explain segregation of school quality from socioeconomic success. Segregation has legitimized equality without real considerations for the realities of the oppressed, as seen in such examples as racial issues, retention rates (Maceri, 2004; Marchant & Paulson, 2005; Merrow, 2004; Urban, 2004), dropout rate (Kimball, 2004; Maceri, 2004), and graduation rates (Baca, 2004; Kronberg, 2005; Marchant & Paulson, 2005), which are interlocked with each other (Merrow, 2004). Thus, segregation is systemic with regressive characteristics to other segregations, like the geographical, social, economic, cultural, and educational aspects (Adler, 1982; Coleman, 1969; Persell, 1977; Powell et al., 2001; Rodriguez, 1986; Weinberg, 1976), suggesting that segregation stands for the reality of American democracy, beyond a racial issue (Hendrie, 2004).

In terms of democratic principles, we may point out invisible and implicit consequences that the target group of alienated and segregated children cannot be equally treated and cannot be equal people, insofar as their lives are socially constructed. Without any changes in the social structure, public schooling is

continuously designed to promote the advantage of social groups *per se*, or only to give individuals within those groups a fair chance of success. Both the nature of human existence and the mode of human existence in the democratic-capitalistic society suggest the conversion of our focus on capitalism to democratic ideas. For objectification and valuation of democratic principles to liberate children from any possible restrictions, we need to clarify the ambiguities in understanding democratic principles. Chapter 4 addresses this topic.

Chapter 4: Conceptual Analyses of Democratic Principles

The historical scrutiny of the democratic-capitalistic matrix of American public schools explicated segregation, converged on inequality that has been divergent into social contexts. Subsequently, the social scrutiny of the democratic-capitalistic society indicated that inequality, by the influences of the nature of human existence and the nature of capitalistic-social Darwinian structure, was inevitable in democratic society, balanced with capitalism-dominated practices. Besides, by the ambiguities of democratic ideas that have legitimized inequality through egalitarian policies, segregation has the tendency to be regressed to a circular logic without any exit or any access to equality (Adler, 1982; Coleman, 1969; Powell et al., 2001; Weinberg, 1976). The purpose of this chapter is to clarify not only the democratic conceptions of freedom and equality based on equity but also the conceptual and substantive relationship among those conceptions that need balancing in the democratic-capitalistic society.

Initiation to Conceptual Issues for Democratic Education

The structural problems of capitalistic society, In addition to the phenomena of separation and segregation, reflected the conceptual ambiguity of democratic ideas. Even egalitarian policies, implemented to the public school system, legitimized inequality, as seen in the common school movement and in the *Brown* (1954) decision. Clarification of democratic concepts is needed to ascertain where the ambiguity originates from and to learn whether such conceptual problems are related

with any structural problems of the incompatibility of democratic ideas with capitalistic structure. Further, the nature of human existence and its mode of existence imply that inequality related to alienation in the democratic-capitalistic society has a quality that cannot be settled by systemic development. This argument is persuasive in that inequality is functional to the individual-social nature, which is relative and related in the categories of within and between. This legitimization of inequality may be ascribed to the nature of capitalistic, social-Darwinian logic.

What should be noted is that the current scholarship on democratic education has focused mostly on equality rather than on freedom; further, these two concepts are dealt with as if they are substantially separate (e.g. Benjamin, 1992; Bernard & Geoff, 1981; Cooper et al., 1981; Green, Taylor, & Singe, 2005; Iannaccone, 1988; Porter, 1981; Rodriguez, 1986; Stewart, 1998; Young, 1994). Segregation, which symbolizes inequality in the public school system, has been considered only in terms of equality. As a result, all the issues of inequality are regressed into inequality itself under the influences of the stiffened structure of society, implying the ambiguities of democratic conceptions.

Educational efforts for equality under the capitalistic structure have been highly limited and ineffective; it would be better to turn our focus on democratic concepts and the substantial relationship between them, instead of criticizing the capitalistic structure (e.g. Bowles & Gintis, 1976; Illich, 1970; Reimer, 1971). This section is concerned with conceptualizing the democratic ideas of freedom and equality as educational conceptions in terms of the mode of human existence as well

as the relationship between the two conceptions that need balancing in the democratic-capitalistic society in terms of equity. To disentangle the knots, our educational concern over inequality should be converted into democratic ideas compatible with the capitalism-dominated practices.

For clarification of democratic ideas, the democratic conceptions in the educational context are assumed to be in the process of being⁴², not in the result of fact. The rationale for this assumption can be proposed in two perspectives. One perspective, drawn from the nature of human existence, is that a child in the public school is a being willing to be controlled toward the good or by knowledge to be free from all possible restrictions. The other perspective, drawn from the mode of human existence, is that a child in the democratic-capitalistic society can be defined not only as a being whose potential is unknown to himself or herself as well as to others, but also as a being who cannot predict his or her social existence. Based on this assumption, this chapter is concerned with conceptualizing the democratic conceptions of freedom and equality as educational conceptions in terms of the mode of human existence as well as the relationship between the two conceptions that need balancing in the democratic-capitalistic society in terms of equity.

The mode of human existence is suggestive to our understanding of democratic conceptions for several reasons. First, as mentioned in Chapter 3, it reflects Aristotle's conception of distributive justice that "justice was as much the unequal treatment of the unequal as it was the equal treatment of equals" (Howie,

42 It is an example of the liberal belief that 'process justifies outcome'.

1968, p. 24).⁴³ Considered in terms of Aristotle's definition of distributive justice, the democratic ideas are too vague to interpret due to the classifications involved. For example, according to Peters' (1970, pp. 118-119) interpretation of Aristotle's definition of distributive justice, two categories—such as s within category for the equal and a between category for the unequal—legitimize inequality by assuming differences as a necessary evil. These categories suggest that two groups of people should be treated according to their own dues. Consequently, justice was defined as treating the equal equally and the unequal unequally. This classification can be applicable to the dual policies in the U.S. public school system, in which meritocratic policy and egalitarian policy have coexisted in each separate category, focused on who can be regarded as the equal or the unequal.

Conceptual fallacy of categorization. The classification into equality and inequality reflects Plato's warning of democracy as “an agreeable form of anarchy with plenty of variety and peculiar in that democracy attempted to make the equal and the unequal alike” (*Republic*, VIII, 558). Similarly, Aristotle argued that democracy was a perverted form of polity in that it worked for the advantage of the poor alone (*Politics*, ii, 5, iv, 8).⁴⁴ Surely, Aristotle equated equality with sameness when he

43 To know this classification more specifically, see the section of Mode and Human Existence in Chapter 3. Aristotle's conception of distributive justice seems to legitimize not only the conception of inequality in the public school system but also segregation as a natural consequence of capitalistic system.

44 Concerning equal distribution, Aristotle unwillingly supported towards the widest possible distribution of political rights with the proviso that should not be so widely extended as to give everyone the power to influence political decisions

argued, “You cannot make a state out of men who are all alike—for the making of a single state difference in kind among members is essential” (*Politics*, ii, p. 2). Further, his conception of equality is certainly that which is quantifiable and relatively measurable, as follows:

The most pure democracy is that which is so called principally from the equality which prevails in it: for this is what the law in that state directs; that the poor shall be in no greater subjection than the rich; nor that the supreme power shall be lodged with either of these, but that both shall share it. (*Politics*, XII)

In light of the statement described above, Aristotle seemed to argue that equality was divided by the amount of possession into the rich and the poor, consequently implying that the only question was how to be distributed. However, Plato and Aristotle’s arguments have serious drawbacks in that both of them did not assume any criteria of equality, on which the differences between the equal and the unequal are judged, let alone other social issues like race, gender.

When considering equality and inequality, based on the nature of human existence of being *relative* to self or others and *related* to self and others, we have a different kind of assumption: *Both unequally endowed potential and unequally situated environments make everyone equally unique*. This assumption is that everyone is both an equal being and an unequal being. In addition, potential is unknown even to self as well as to the public, prohibiting a hasty interpretation of a child’s potential. Consequently, it can be reasonable to argue that *each child should*

without regard to his quality and status as a human being (Howie, p. 24). Both Plato and Aristotle were certainly aware of the difficulties of educating the public.

be treated equally and unequally according to the qualities each child has, including homogeneous and heterogeneous qualities.

Unlike Aristotle's definition of distributive justice, now we have many different categorizations and interpretations, in which the imperative sentence says that *to be just, the homogeneous quality should be treated equally and the heterogeneous quality should be unequally*. Unlike Aristotle's classification, which proposed that one's existence be divided into the social conditions and social statue to which the equal and the unequal had belonged, the classification based on the nature of human existence makes it possible to propose that *it is the qualities of existence, not the conditions of one's existence, that divide equal or unequal existence*.

In the same line with the nature of human existence, both equal treatment of the equal and unequal treatment of the unequal are classified into the *within* category. Further, the *between* category exists only for making it just by combining each *within* category, based either on sameness or on difference. For example, either the equal or the unequal comprises its own *within* category based on same quality in kind, whereas both the equal and the unequal comprise the *between* category based on different qualities in kind.⁴⁵ This classification implies that distributive justice can be accomplished by enlarging the *between* category, by which inequality is tantamount

⁴⁵ As long as difference is interpreted based on socioeconomic success, the word cannot help but entail inequality. This suggests that 'difference' should be interpreted in terms of human existence with its own dignity, not in terms of inequality.

to equality. In this case, both meritocratic policy and egalitarian policy coexist in one category, based on different qualities in kind.

To the *within* category is applied the *equality-within* category, which indicates equal treatment of the equal, and the *inequality-within* category, which indicates unequal treatment of the unequal. However, it is a *between* category that make a policy just, in which each category is homogeneous in itself. Not until both an *equality-within* category and an *inequality-within* category are combined into a *between* category can either be regarded as just. One *within* category can be the criterion to the other *within* category. For example, those who cannot be classified into equality can be called the unequal and vice versa.

In this context, we have come to have two kinds of categorizations. The one categorization is concerned with *equal treatment*, as mentioned in Chapter 3, in which either the equal or the unequal is classified into one category, based on same quality in kind, whereas both the equal and the unequal are classified into the other category, based on different qualities in kind. The other categorization is concerned with *quality or excellence*, even if each meaning is still vague due to the matter of measurement of excellence. At least two pivotal questions are related to criteria: What can be the criteria to tell inequality from equality? What can be the criteria to combine each different *within* category into a *between* category?

Although the conception of freedom is one of the bases of democratic ideas, it seems to have been relatively underestimated, compared with the conception of equality. As examined in the previous chapters, the conceptually pivotal cause to

refute segregation and alienation was the restricted or oppressed freedom, which resulted in inequality. Additionally, in the democratic-capitalistic society, the conception of freedom has been used to legitimize inequality caused by individual differences in the way to exercise individual freedoms, implying that the existence of freedom may be a sufficient condition for equality. If so, what is freedom like in the public school system, where a child is vulnerable to conditions both internal and external? How does the existence of freedom work for the existence of equality on behalf of a child who has the qualities that make the self equal and unequal?

Conceptual Analysis of Freedom

In terms of the nature of human existence, if we do not assume the existence of freedom, it is natural to argue that everyone is unequal due to the relative nature to others and even to the self as well as to the related nature with others and the self. The argument makes it possible to say that what makes everyone unequal are the characteristics and the degrees of relativity and relatedness, even implying that every child is assumed to be relatively unequal according to their own abilities and backgrounds. In this way, one may explain how inequality is legitimized in the public school system. However, this argument cannot involve the conception of freedom which helps everyone free from the natures of relativity and relatedness.

The structural examinations of capitalistic society showed the perspective of being shut up in the Klein bottle, while leading to a question: Have our public schools provided our children with freedom to enjoy the opportunity of equality by making

them free from their restricted contexts? In terms of the nature of human existence, if we do not assume the existence of freedom, it is natural to argue that everyone is unequal due to the relative nature to others and even to the self as well as to the related nature with others and the self.

What make everyone unequal are the characteristics and the degrees of relativity and relatedness, even implying that every child is assumed to be relatively unequal according to their own abilities and backgrounds. This is a way of explaining how inequality is legitimized in the public school system, saying as if everyone cannot be free from the natures of relativity and relatedness. However, not equality but freedom enables one to get out of the senses of relativity and relatedness, which implies that the exercise of freedom is the necessary condition for the existence of equality.

Kant (Ripstein, 2009) argued through his conception of *equal freedom* that distributive equality should be a condition for realization of freedom in that the exercise of the right of freedom depends on the distribution of resources (Ripstein, 2009). However, the distribution of resources basically depends on the choice of the advantaged, which in turn depends on the degree of freedom. This is why freedom should work for equality as a sufficient condition; everyone may be said to be equal through freedom. Further, it can be assumed that it is the exercise of freedom, through choice or control that enables equality to work properly. This provides a motif to begin this discussion with freedom, further leading us to think of a balancing criterion between equality and freedom. The relative and related characteristics of human

existence in society imply that nothing can be said about human nature with certainty, save that everyone has a potential that is unknown even to himself or herself as well as to others.

To clarify democratic conceptions of freedom, two types of freedom are clarified, based both on the nature of human existence and relativity and relatedness. Then, on the mode of human existence, which is composed of the within-between relationship and the individual-society relationship, the conceptions are examined in the school context. By doing so, the seemingly contradictory relationships between freedom and control in the school context will be conceptualized in terms of knowledge as a primary criterion of freedom.

Freedom in terms of the nature of human existence. Concerning freedom, there has been a popular but unexamined conception that freedom for children should be controlled for their academic achievement, legitimizing control of children for more freedom of choice. However, the notion of control in this conception of freedom is legitimized for the child's academic performance, not for a child's freedom. In terms of the means-and-ends continuum, if freedom is conceptually related with control, both freedom and control are presupposed to share the process and consequences—not as a means but as an end—in which academic performance may be a result of freedom. How can we clarify the conception of freedom in the public school system? This question is sought based on the nature of human existence.

Based on the nature of human existence, a child in public schools is assumed as unknown being⁴⁶ because of changeability which is innate to him or her, even if he or she has relatively measurable gifts or talents and some identifiable characteristics. In terms of these given conditions, no child is the same and so everyone is unique, while differentiated from others by one's own potential. This implies that to make a child free through schooling, the self should be considered prior to any other living condition.

To clarify freedom in terms of the nature of human existence, it is important to conceptualize freedom in the educational context, instead of following a popular conception of freedom, which is divided into negative (freedom from) and positive (freedom to) senses, based on internal and external constraints (Berlin, 1975; Feinberg, 1978). *Positive freedom* was characterized as the absence of negative constraints and *negative freedom* as the absence of positive constraints (Berlin, pp. 7-8; Feinberg, p. 13), assuming that no one can be free from at least four constraints.⁴⁷

In the educational context, in terms of the nature of human existence that is relative to and related to self and others, we may have four categories (see Figure 6):

46 It is helpful to remember our discussion concerning human nature as unknown being who cannot be measured because of human nature.

47 For example, internal negative constraints like ignorance, from internal positive constraints like desires, from external positive constraints like the danger of war, and even from external negative constraints like lack of time.

		Relative			
Individual	<i>Self-Relative</i> sensation, desire, thoughts	<i>Social-Relative</i> socioeconomics, test scores	Society		
	<i>Self-Related</i> sex, race, talents	<i>Social-Related</i> family background, nationality			
		Related			

Figure 6. Freedom in terms of nature of human existence

1. *Self-related*, or related with self, refers to innately predetermined biological traits or intellectual qualities that are natural and unique to the individual, like gender, race, and talents. The qualities that belong to this category may have consistency.

2. *Self-relative*, or relative to self, refers to the qualities that are changeable by the influences of one's own sensation, desires, and thought, like cognitive abilities. These qualities may be generically substantial but fully unknown to others. These individual categories comprise one's potential to be developed or be educated in an individualistic way.

3. *Social-related*, or related to/with society, refers to the social qualities that may be acquired at birth, like family background, nationality, and culture.

4. *Social-relative*, or relative to society, refers to the qualities that may be acquired in one's social life and defined by society, like social positions or test scores. This category is to be quantified for measuring or rating special quality. These social qualities are expected to be controlled in a social way.

How may these categories work for each child's freedom in the public school system? The four categories may be demarcated into personalized self and socialized

self based on what is to be controlled. Also, relativity and relatedness may be characterized by the object of changeability, indicating that relatedness involves internal changeability, whereas relativity involves external changeability. In terms of Feinberg's (1978, p. 12) and Berlin's (1975, pp. 7-8) terminology of negative and positive freedom, on one hand, if we define freedom as "the absence of constraints" in the negative sense, the conception of freedom justifies control for freedom from lack of knowledge not to be subjugated by others' will or control as well as not to harm to others. So, it can be said that in educational contexts, external control can be justified only when presupposing internal control. The apparently negative conception is paradoxical because (a) in reality lack of knowledge restricts making choices and (b) freedom from lack of knowledge is regarded as necessary for freedom from material conditions or economic disadvantages.

On the other hand, defining freedom as "to do what one likes to do" in the positive sense, we should admit that doing what one likes depends on what extent and how much successfully one has been free from the given constraints. In this positive sense of freedom, "to do as one likes" involves its counterpart, "not to do harm to others," which implies that "freedom from" is positively related to "making choices" implied by "freedom to." Control should be based on self-control suggesting that control in school contexts make each child aware of his/her own self to know what might put a child under control. Combined with the within-between categories, this conception of freedom drawn from the nature of human existence can explicate more

clearly *freedom from* and *freedom to*, consequently explaining alienation and segregation in the public school system.

Freedom in terms of the mode of human existence. Freedom in the mode of human existence represents the way of existence of the source of freedom.⁴⁸ First, concerning the purpose of control, we should assume that a child is an immature being who is expected to learn how to self-control or control internal and external conditions. The conception of control assumed in educational context is paradoxical, implying the degree of restriction and the extent of control which further influence on one's responsibility for oneself and others. Here, we have some rationales to be clarified for the educational conception of freedom, based on the purpose and the rationale of control.⁴⁹ To be free from control and further to make more and better choices, one must be controlled to one's own internal and external conditions either voluntarily or by force. Free will determines whether one is controlled voluntarily or by force.

Second, concerning the rationale of control, when considered in light of an individual's innate traits and given conditions, no one is free at birth. However, the

48 For Berlin (1969), the negative sense of freedom is related to the degree of interference by other persons, while the positive sense of freedom to the source of control or interference that can determine someone to do, or be, in this rather than that (pp. 121-122).

49 For freedom, Giovanni (1987) argued that equality can either be the best complement of freedom or its worst enemy in its love-have relationship (p. 339). Michelle (2002) and Wringe (1984) argued that equality in the tensions between materialistic life and spiritual life (Michelle, 2002) has aggravated inequalities (Wringe, 1984), eventually suffocating individual freedom as the primary sources of quality. However, they did not provide any conceptual relationship between the two conceptions for supporting their arguments.

nature of human existence is such that what makes one free or restricted is not simply external conditions but also the nature of human existence. Whether or not a child likes the contexts and the conditions to which he or she is subject, it is self-control supported by educative control that makes a child learn how to be responsible for the self and, consequently, determines the extent of the child's choices.

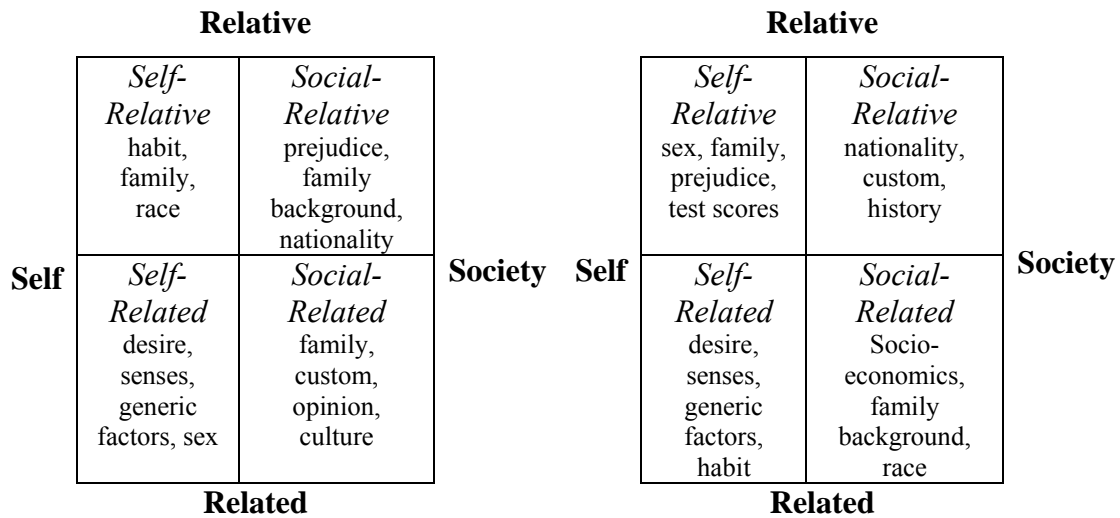
Third, concerning knowledge as a source of freedom, either self-control or control by educational authorities, intended for making the students to take willingly responsibility for self and others, are not automatically given but arduously acquired by learning. Control and responsibility supported by the knowledge necessitates learning to know self and others and by learning to live together them by understanding and sharing the ways of living and thinking with one another. By knowledge acquired by such learning, one may make wiser choice and take responsibility for what and for whom the one should do. In this sense, the educational conception of freedom should entail the opportunity to provide proper knowledge for children, who have the right to know themselves and others in order to learn how to live.

In terms of the mode of human existence, based on *within-between* categories, freedom may be divided into homogenous and heterogeneous conditions according to the conditions in which one is placed, involving how to be treated. The conception of children with homogenous conditions in the *within* category is specified into two kinds of groups: related and relative. The children who share self-related or social-related commonalities are expected to be treated in equal ways under the premise of

human dignity that should be applied for everyone with equality. The children who share social-relative commonalities are expected to be treated in equal ways in provision of educational facilities and environments.

The children with heterogeneous conditions in the *within* category similarly have two groups. The children who have self-related or social-related differences are expected to be treated in internally different ways, whereas the children with self-relative or social-relative differences are expected to be treated in externally unequal ways. Further, we have the relationship between each group of children. In these categories, the source of freedom is actually the source of control, because freedom in the school system is paradoxically assumed to mean that a child can be free from some restrictions by being controlled.

When we remember that no one can be known clearly even to self, much less to others, these categorizations refer to just criteria of “free from” and “freedom to” rather than a definition of educational freedom. In terms of the mode of human existence, the negative sense of freedom, “freedom from,” indicates that a child has to be controlled internally and externally by *between* categories of homogeneous-within and heterogeneous-within (see Figure 7). How these two types work together is not easily generalized due to individual differences. Besides, different variables in each figure imply that the criteria of freedom in the homogenous group may differ from the criteria of freedom in the heterogeneous group (see Figure 7).



Internal: Homogeneous-Within

External: Heterogeneous-Within

Figure 7. Two types of *within* categories of freedom in terms of the mode of human existence.

Figure 7 shows that the variables in each section of the category interact or intertwine with one another. For example, the individual parts, represented by “self,” are subject to be valued by common sense and common good. In this context, lack of freedom from self-related parts or self-relative parts is *alienation from self*. Lack of freedom from other social parts results in *segregation from the context*. “Freedom from” the restrictions that may come from all the situations necessitates self-knowledge in that what makes a child free from any restrictions in the internal and external way is the child himself or herself, who may control the restrictions.

The positive sense of freedom involves “freedom to” for the purpose of doing by one’s own will, instead of being subjugated by others’ will or control. This positive sense of freedom necessitates the negative sense of “freedom from”

restrictions that may prohibit a child from doing what he or she wants to do. Thus, to know what to do and how to do it is the vital vehicle of freedom, which should be supported by freedom from internal and external restrictions. Here, we may delineate the boundary of freedom.

Freedom in the public school system. Family background does not guarantee “freedom from.” For example, if a child is successful in academic achievements thanks to an advantaged family background, the child is usually said to be benefited, not to be free. Even if a child with disadvantaged family background is successful in academic achievement, the child can be said to be just free from an unfavorable environment, but it is not necessarily said that the child is now “free to”. If the child is unsuccessful in academic achievement, the child is said not to be free from his or her given situations. In a strict sense, what constitutes freedom is not a means to make one free from any special restriction but the way of thinking and living itself.

To develop both what one has innately and environmentally and what one wants to have requires “control for freedom,” which helps the students exercise self-control by a minimum level of control by the authorities concerned with their education. What are the criteria of freedom to legitimize control? The criteria of control can be discussed in terms of equality. Family background has more impact on the distribution of material reward than public schools; a child with a disadvantaged family background is not easily free from inequality. What does the conception of freedom imply for public schools?

In the public school context, a child who has unusual talents or interests is expected to have an opportunity to develop his or her full potential, related to and relative to others. This statement proposes that both individual freedom and public equality enable one's potential to be properly developed and adequately supported. However, the historical examination of public school system revealed continuous tensions between freedom and equality, indicating that more individualistic tendency toward freedom entails less egalitarian tendency toward equality under the capitalistic-social Darwinian structure.⁵⁰ Further, the tensions suggest that the criteria of freedom in the public school practices have been focused on conditions or requirements for competitions with others, rather than competition with self. Also, school choice has been just regarded as in terms of individual right of freedom⁵¹ rather than the necessary condition of “freedom to” do what one wants, resulting in infringement upon teachers and learners’ freedom of learning.⁵²

When we consider why equality is needed, our focus is on a child who has individual and social characteristics of relativity and relatedness, in which the child again can be categorized by *within* and *between*. For a child to be equal means that

50 As pointed out in Chapter 2, under the capitalistic-social Darwinian structure, egalitarianism rather legitimized inequality.

51 The premises are as follows: Individual students have the right of freedom to choose the school they want to go; individual preferences drive institutional decisions; and market economy is equitable. See at <http://www.ed.gov> for more information.

52 Chubb & Moe (1990) proposed that the public school should create new institutions that promote school autonomy, against bureaucracy that produced “the public schools' poor academic performance” by equal treatment for the unequal students (p. 37). However, they just interpret educational freedom as freedom to without freedom from.

the child should be free from restricted contexts. In this sense, freedom is conceptually related with equality. Also, for “freedom to” do what one wants paradoxically means being free from even the self as well as from innate and acquired conditions, which implies the ideal state of equality. This is the motif to clarify the conception of equality.

Conceptual Analysis of Equality

The declaration that all men are created equal implies in terms of the nature of human existence that a child is equal if the child is free. To have value of truth, the statement should satisfy the condition that the child is “free from” all restrictions. Yet, as everyone has the qualities, equal and unequal, which are relative and related to self as well as to others, only external conditions cannot satisfy the restrictions needed for equality. Above all, desire itself is always in need and moreover, the society is composed of the people who have desires to desire what is relatively better or what is relatively more for their existence. In this sense, the process of being equal should begin with being free from one’s desire to compare with others at first and to compare with self finally.

One may argue that to be freer entails to be more unequal than others in that one becomes less restricted by having more or by being better than others in every sphere of life.⁵³ This argument, based on the capitalistic notion of possession,

53 For example, one is getting richer and richer, resulting in economic inequality. One is getting smarter and smarter, resulting in guaranteeing higher social positions.

suggests that the state of “freedom from” necessitates possessing what one desires, such as knowledge and materials. However, isn’t it contradictory to argue that a free person, who wants to be free from any possible restrictions, wants to have more and to be better than others? This kind of relativistic confusion reveals confusions of the conceptual relationship between freedom and equality.

For our discussion, we may assume that *both unequally endowed potential and unequally situated environment make everyone equally unique*, as mentioned in the first section of this chapter. In this assumption, *unequally* and *equally* are used in the qualitative and quantitative senses. All the factors supposed in the unequally endowed potential and unequally situated environment cannot be quantified because the sources and the criteria of unequal in those two phrases are basically different.⁵⁴ The phrase of *equally unique* refers to how to deal with unequal things equally; such unequally given things imply equal opportunity and equal treatment. The question is how to quantify or qualify the unequal things equally without contradictions.

As revealed in the historical examination, the conceptual ambiguity of equality led to practical difficulties in interpretation of educational practice, like equal treatment of the unequal or unequal treatment of the equal. For example, in the

54 Some factors of ‘unequally situated environment,’ like family income, can be quantified by objectifying them based on external conditions, while some of ‘unequally endowed potential,’ like musical talents, can be quantified through performances, but all the environmental factors and all the natural talents cannot be quantified, and further, some qualities assumed in a child, like latent talents, cannot be quantified at all. Although some researchers, like Hernstein & Murray (1994), have tried to prove their ideas by quantified data, they are vulnerable to criticism in that they could just observe just what was observable.

“separate but equal” decision, separate, which conceived social inequality at the outset, was interpreted merely as geographical distance (e.g. Spring, 1997, p. 95). As a result, it unfairly legitimized equal treatment of the unequal, which enabled systemic oppression, through such a tolerable rationale for the perpetuation of a dual system (Kozol, 2005), as shown in the cases of *Hernandez v. Texas* (1954).⁵⁵ Here, the discussion of equality begins with the clarification of the conception in relation with the conception of freedom. Then, substantive meaning of equality in relation with the conception of freedom is scrutinized in light of the nature of human existence and the mode of human existence.

Scrutiny of the criteria of equality. The early history of public school showed that equality had been identical with “sameness” (Meier et al., 2004; Neill, 2004; Olson, 2004; Spring, 1997; Tocqueville, 1984) or “equal opportunity” (Benton & Hacker, 2004; Cheryl, 2004; Chong, 2005; Cusick, 1992; Fallon, 2004; Fryer, 2005; Kimball, 2004; Kozol, 2005; Neill, 2004; Visalia, 2004). There were no conceptual and categorical distinctions between equal *being* in an existential sense and equal *living* in a procedural sense. Those meanings of equality were usually interpreted in terms of equal right in the political sense, equal opportunity based on competitions in the economic context (Corbis, 2004; Cusick, 1992; Kosar, 2003), or equal treatment in the educational sense based on fairness.

55 The legal campaign in Texas resulted in the U.S. Supreme Court’s decision of *Hernandez v. State of Texas* (1954), just 2 weeks before *Brown* (1954), which held that under the Fourteenth Amendment it was unlawful to exclude Mexican Americans from jury service based solely on their national origin. (Aguirre, 2005, pp. 327-328).

In this context, equality implied in the public school history can be summarized as follows: (a) An individual is born with unequally endowed potential in an unequally situated family in a socioeconomic sense⁵⁶; (b) the individual is subject to be equal before the law; (c) thus, the individual is subject to compete with others who have unequally endowed potential and unequally situated socioeconomic status; (d) competition works favorably for the one who has more talent and more a advantaged socioeconomic background; and (e) consequently, equality before the law legitimizes the interest of the advantaged through equal opportunity. Perhaps this is the way inequality is generated of itself. Here, the problem is that the criterion of equality is inequality, and even inequality is relative. Who, then, can be called equal in this system? All people are relatively unequal, implying that the public school system has no alternative exit, as in the discussion of social structure. What, then, are the criteria of equality?

Unlike Jeffersonian democracy based on the declaration that all men are created equal, the Jacksonian era specified the egalitarian theme that all men were of essentially equal talents (Heffner, 1984, p. 10). Frustratingly, such a developed conception of equality and support by legislation and egalitarian policies, especially since the *Brown* decision, have hardly worked for reducing inequality in the public school system. However, those efforts show disconnections between rhetoric and

56 No one doubts that the children of well-off parents generally receive more and better schooling and benefit from material, cultural and genetic inheritances (Bowles & Gintis, 2002, p. 30). In addition, school choice is the effects of parents' abilities or SES.

action. If one is asked, “Who can be called equal in terms of fairness?” most Americans may reckon White men as the few people who deserve to be equally treated as well as those who have more freedom and less restriction in their lives. Here, we can find a conditional function in which freedom and equality interact with each other as cause and effect: If one has more freedom and less restriction, then one will have more chance to be equally treated; if one is equally treated, then one will have more freedom and less restriction. In other words, equality can be examined in terms of the degree of freedom.

As examined in the section of freedom, “freedom from” was regarded as a sufficient condition of equality, is conceptually related with equality. Let us rethink the conception of equality adumbrated above in terms of freedom. In terms of “freedom from,” what is given to an individual can be either an object to generate inequality or an object to overcome relative inequality, based on the lack of internal and external freedom. For example, a child from an advantaged family may be relatively free from any possible restrictions in the socioeconomic sense, but if the child is dependent on those advantages, he or she cannot be free from what he or she has. Yet, lack of socioeconomic supports may enable the individual to manage other difficulties by overcoming disadvantaged situations, making the individual free from the environmental restrictions. These examples imply that whether the criterion of “lack,” is virtue or vice depends on knowledge.

Lack, a criterion of “freedom from,” suggests *dependence*, a criterion of “freedom to,” as a counterpart of control, regressive to self-control.⁵⁷ If a child learns to manage what he/she has and further, to be free from that, he or she will enjoy the virtues of “freedom from what he/she has” and “freedom to” do what he/she wants to do. The case in which a child’s complete dependence on his or her disadvantaged and even advantaged situation prohibits him or her from doing what he or she wants to do needs a different way of consideration. For this case represents ‘lack’ beyond self-control, suggesting the need of distributive justice. Here, equality involves the issue of human dignity implied in human existence rather than merely “socioeconomic issue related to family and schooling” (Amrein & Berliner, 2002; Baca, 2004; Kimball, 2004; Kronberg, 2005; Merrow, 2004; Urbon, 2004).

The conception of equality carries a meaning that not only “freedom from” vulnerability to the materialistic conditions and “freedom to” have their own ways of living without dependences. Further, those two kinds of freedom provide the solid rationale of equality, which otherwise would make one subjugated to the continuum of relativity. Considered in terms of the balances between freedom and equality, insofar as either the advantaged or the disadvantaged is free, being superior or inferior to others is meaningless and finally everyone is equal. It is the virtue of education that makes both the advantaged and the disadvantaged have the sense of sharing equal and

⁵⁷ For example, if a child’s dependence on socioeconomic benefits prohibits the child from doing what he/she wants to do freely for himself/herself, he cannot be said free. If the child learns to manages what he/she has and further, to be free from that, he/she will enjoy the virtues of ‘freedom from what he/she has’ and ‘freedom to’ do what he/she wants to do.

free lives. What, then, may the conception of equality imply for equal opportunity and equal treatment? This question is answered in the following section, based on the conceptions of equality examined in terms of the nature of human existence and specialized in terms of the mode of human existence.

Equality in terms of the nature of human existence. The section of freedom above indicates that equality has two quite different implications according to the premise of freedom, when discussed in terms of the nature of human existence. Equality, conventionally defined regardless of freedom, bears social inequality in that a child can never be free from internally and externally self-driven and society-driven restrictions by the child's nature of relativity and relatedness to self and to society. Equality, based on freedom, implies being a child whose potential is unknown even to the child as well as to others. Further, "freedom from" restrictions justifies control in the school context, whereas "freedom to" do what one wants to characterizes the absence of dependence.

Such a child, as a composite of race, ethnicity, socioeconomic status, and environmental influences (Freedman, 2004), represents different ways of existence, so legal protection of equality merely through providing the same opportunity is not enough to make a difference in one's socioeconomic equality, which inevitably assumes competition. Currently, equal opportunity is just an institutional input, which has neither causal nor practical relation with socioeconomic output, indicating that equal opportunity has little relation to the changes in one's social status or in the social structure. Further, the fact that the public schools provide equal opportunity to

children from disadvantaged families is different from the consequence that the opportunity is substantially supportive and effective to the target students. Here, the question is whether the opportunity has been given equally. This raises two conceptions: equal opportunity in terms of competition and equal treatment in terms of fairness.

Equal opportunity. In reality, as revealed through historical and social examinations, all issues concerning equality are directed to socioeconomic status (Apple, 2004; Books, 2004; Rothstein, 2004; Shaw, 2001), implying that the disadvantaged background is considered to be an important factor in school failure (Orfield & Lee, 2005; Phillips & Chin, 2004; Rothstein, 2004). In this context, equal opportunity carries an assumption that schools can serve as great “equalizers” (Books, 2004) by removal of social barriers (Evans, 2004; Meyers et al., 2004; O’Brian, 1999; Pebley & Sastry, 2004). Great efforts have been made for equal opportunity to ensure everyone a fair chance to compete (Feinberg, 1978; Patterson, 1978). However, significant changes hardly have taken place in terms of equality.

The premises of equality (treatment), absence of restriction and independence, drawn from the conception of freedom, suggest that the meaning of *equal* in the phrase of *equal opportunity* be valued by the conception of freedom, not by social inequality. The opportunity given in the same frequency or the opportunity contingent upon several requirements simply masks social inequality,⁵⁸ reflecting the tensions in

58 Feinberg described the contradictory reality of equality as follows: “The worth of political right depends upon the material resources that people have

the relationship of equality with political right and material resources (Feinberg, 1978; Mary, 2003).⁵⁹ Further, the inequality is accelerated by competition implied in the equal opportunity. How, then, may such a conception of equal opportunity be interpreted in terms of freedom?

Most scholars of equal opportunity have a tendency to interpret it as sameness or equal share in terms of social justice or fairness. For example, Adam Smith (1948) pointed out that careers should be open to talents, reflecting the dominant social stratification ideology that equates a fair chance with an equal opportunity. In Rawls's (1999) theory of justice, equal opportunity means equal shares in the surplus created by fair and just institutions of cooperative endeavor.⁶⁰ This conception yokes the outcomes of the most advantaged with those of the least advantaged in a contingency that ensures benefits for all regardless of their status or position in the group. Despite their epochal ideas, criticisms of relative unfairness to either the advantaged or the disadvantaged have not been avoided. One of the critical reasons is

available to them, and unfortunately, the doctrine of equality of opportunity, even when properly applied, is consistent with a large of actual inequality" (1978, p. 1).

59 If it refers to the same opportunity in frequency, the opportunity should not be called equal. Nor should the opportunity that is contingent upon several requirements, because it mask inequality by limiting those who are eligible for the given opportunity. Rather, equal opportunity accompanying within same conditions can be called equal treatment to the eligible people.

60 Rawls' ideas, like Kant's categorical imperative, focuses on treating person as ends and never as means, and so on helping out the less fortunate individuals. A fair share means that shares should be approximately the same, unless there is some justification for adopting a different sharing. Here is an example of Robin Hood policy that had been implemented in Texas. This definition can be criticized in that it requires unjust transfers of resources from those who earned them justly through their own self-determined effort.

the absence of proper provision for equal opportunity, that is, no consideration for the state of each child's freedom. What about regarding equal opportunity as a conception of built-in freedom?

In terms of freedom, the right of equal opportunity should be differentiated from the access of equal opportunity. The right of equal opportunity is given as equality before the law without any obligation, whereas the latter is intended to provide each child with opportunity to develop each child's potential. This implies that the child, the family, and the school have obligations to society. For example, before a child is first admitted to school, the right of equal opportunity is given to him or her. However, after the child is admitted to a school, the classroom environment presupposes an obligation that the child and the family are willing to meet school requirements to freely enjoy the next opportunity of equality. In this sense, the conception of equal opportunity in the public school level implies absence of restriction, as a criterion of "freedom from" necessitates the removal of some given restrictions such as ignorance, as prerequisites, covering both internal and external restrictions.

The criterion of "freedom from," absence of restriction, implies that in order to provide an opportunity equally, the mutual agreement between a child with the family and school should be met, based on the school's maximum provisions for each child's maximum independence.⁶¹ When we recall that inequality as a criterion of

⁶¹ This implication reminds of a question we dealt with in chapter 3, "Does one's consciousness determine one's substantive existence or vice versa?"

equality reproduces inequality, it suggests that the maximum provisions by the schools should be made in the way of reducing the intervention of social inequality to the minimum level. Further, it proposes that school and family provisions be focused on maximizing each child's independence from external and internal restrictions. Unless one is a free being, one cannot be an equal being, suggesting that the degree of intervention by parents and schools may be inversely proportional to the degree of each child's self-control.

Under the criterion of absence of restriction, now each child in the maximized state of freedom and in the minimized state of inequality is expected to compete with the self to do what each child wants, while fulfilling the requirements needed for equal opportunity. The final choice each child may be inevitably made is competition with others. In this context, competition is not a purpose of schooling any more. The objective of competition is rather to overcome an individual's perceived limitations instead of others. In this way, equal opportunity works towards each child's maximization of self-control and schools and parents' corresponding intervention for maximization of the child's self-control. Such independence is another criterion of equal opportunity, drawn from "freedom to."

Equal treatment. Equal treatment is conceptually related to equal opportunity as a necessary condition as well as a sufficient condition under the premise that the term of *equal* in both phrases involves freedom. Two functions are assumed: (a) If a child is equally treated in the provision with equal opportunity to be free from his or her restriction, the competition with the self in the equal opportunity will be fair; and

(b) if the competition in the equal opportunity is fair, the equal treatment will ensure the child to be free to do what he or she likes. These functional statements imply the continuum of equality, in which the process of equal treatment leads to equal opportunity by fair competition, whose consequences ensure how to fairly treat the children. However, if all children are regarded as unique by the nature of relativity and relatedness to others and to self, every child should be treated unequally. In addition, in the public school context, all the problems are interrelated, so what does equal treatment mean? What if equal treatment itself ignores individual potentiality (Jenson, 2001) by unexamined and aristocratic criteria?

In terms of *within* and *between* categories, a child's internal and external conditions can be divided into within an individual and between individuals. The *within* category, based on sameness, includes the equal treatment of the equal and the unequal treatments of the unequal. The *between* category, based on differences, includes unequal treatment of the equal and equal treatment of the unequal. Given the changing state of the individual,⁶² equal treatment depends on the changes in one's existential being. The danger is that without any substantial and successful change in individual and social life, the qualities, confused with quantity (Adler, 1982), may reproduce existing inequalities (Education Commission of the States Task Force on Education for Economic Growth, 1983; Sirotnik, 1990; Wringe, 1984) with more strained tensions and discrepancies.

62 Besides, everyone is subject to change with the qualities, suggesting the categories cannot be fixed in one's life, insofar as one tries continuously to be free.

Here, I should clarify the usages of equal treatment in terms of the premises of equality: *lack of what* and *dependent of what or whom*. *Lack of something* entails what should be controlled and how a child should be treated to be free from such lack. What should be noted here is that both “what” and “how” should be considered by the purpose, standing for “why,” because it is the purpose that determines the direction and the quality of the substance and the method. For example, if testing is supposed to improve school quality, schools focus on test scores, and the children are controlled and treated by test score. Control is a negative action that enables a child to be free from restriction, whereas treatment is a positive action that enables the child freely to do as he or she wishes. Further, whereas equal opportunity enables children to initiate the process of education that provides the opportunity to be free from restrictions, equal treatment is assumed to be related to how to take care of children to fulfill the requirements needed for competition. How can we make fair the process of helping free children from their restrictions by minimal interventions?

To treat each child who is regarded as unique equally, fairness in treatment requires that both educators and parents be free from prejudices and biased measurement of each child’s potential. Whether a child continues to take opportunities to develop his or her potential is a matter of individual choice, which may primarily depend on the child’s aspirations of freedom from any restrictions and freedom to do what he or she wants to. Insofar as the child’s choice is based on his/her realization of freedom and all the individual and social responsibilities accompanied by his/her choice, it should be respected. However, to make the child

decide what he or she wants to do with freedom is the obligations schools and parents should take.

Conversely, if the child's has no choice, the child has not been fairly treated in the process of being initiated to the equal opportunity. Further, the paradoxical process implied in actualization of freedom enables each child to experience not only freedom from given restrictions through control but also freedom to take individual and social responsibility through independence. This is the beauty of equal treatment based on freedom. Thus, it can be reasonably said that equal treatment includes the process of sharing each child's relative limitations and difficulties, consequently understanding of the self and others. Human nature of the relative and related characteristics is both limitations and educational potential as an exit that protect our children from being put into the Klein bottle.

Not until a child tries to know the self will the child know the possibility and even limitation of his or her potential. This suggests that equality has its ontological significance in one's equal life, as a way of living. Although external conditions occupy substantially important parts of inequality, it would be biased to judge whether a child in the public school system is equal or unequal, just based on external conditions, like economic factors (Books, 2004; Rothstein, 2004) or historical and cultural consequences to school inequality⁶³ (Anderson, 1988; Rothstein, 2004;

63 Although addressing the cultural construct of racism is critically important to understanding achievement inequities, economic factors are also critical (Books, 2004; Rothstein, 2004). The historical legacy of racism embodied in slavery and the cultural imperialism that immigrants endure have been acknowledged as

Valenzuela, 1999) without sharing limitations and difficulties in being free from the world and self. It is absurd to argue that public schools in the capitalistic society cannot but be unequal (Adler, 1982; Coleman, 1969; Powell et al., 2001; Weinberg, 1976), because to say so ignores the democratic functions of public schools for children's freedom and for democratic society, disproving that the internalization of democratic ideas has no relation with children's lives (Mary, 2003; Porter, 1981)⁶⁴. Here is a necessary connection between equality in the legal sense that everyone is born equally, and equality in the ethical sense that they ought to be treated as equals, suggesting quality education.⁶⁵

Concerning the principle of equality, Mathews (1978) argued that it is not a description of facts about men's physical or intellectual nature, but rather a prescription or policy of treating men whose different needs may require differential treatment (p. 172). It is not a demand for absolute uniformity of living conditions or even for arithmetically equal compensation for socially useful work. Like other

important factors in school achievement (Anderson, 1988; Rothstein, 2004; Valenzuela, 1999). When cultural and economic factors are conflated, however, the racial gap dominates, minimizing the very real economic inequities that cross racial boundaries.

64 Mary (2003) pointed out the limitations of external supports for equality, saying that "Even with all kinds of mandates curriculum, assessments and funding, schools are not equal" (p. 172). Porter (1981) asserted the importance of internalization of equality by saying that a child who uses services is "enabled to construct and internalize rather than simply receive those knowledge and values, one's innate inequality does little matter."

65 In practice, 'school quality' entails some significant questions. For example, what school quality should be measure? Can it be possible to qualify or quantify school quality? If so, how may it be specified? If not, why? Concerning school quality will be specifically discussed in Chapter 5.

egalitarians, Rawls (1999) required an equal right to the most extensive system of basic liberties for each person that is compatible with similar liberties available to all others.

Equality in terms of the mode of human existence. Like freedom, equality suggested in this chapter stands for a way of life which is continuously influenced by self, who is expected to struggle for freedom. In this reason, whether one is equal depends on whether the one is free. However, whether one is equal is hard to know because both conceptions with individualistic and social characteristics need subjective and objective certainty. Instead, we may justify the conceptual relationship between freedom and equality. The mode of human existence of equality can be examined by a statement that if one is free, one is equal in that *freedom from* in the school context is assumed as prerequisite, whereas being equal is also a sufficient condition for *freedom to*. If this statement that one is equal if one is free is right, conversely, we may have two false cases: (a) if one is free, one is not equal; and (b) if one is not free, one is equal. To make the original statement true, we may clarify those two false statements by examining them in terms of ‘lack’ and ‘dependence’.

Take a social-relative variable, family background, as an example. When considered by lack and dependence, the statement says, “If one is free from absence of economic restriction, then one is equal.” Although this statement sounds persuasive, it cannot be true in a logical sense. In a conceptual sense, the statement is false in that it involves just *freedom from*, without *freedom to*, implying that if the one is dependent of the given or acquired prosperity, the one is not even free from that.

The above examination by conditional functionality indicates methodological bases that equal treatment of the equals based on sameness, and equal treatment of the unequal or unequal treatment of the equal based on differences, disproving that when the relationship between freedom and equality is true, other conditionals, except for the statement that if one is not free, one is not equal, cannot be true. The reason is that in the relationship between freedom and equality, either of them not be subjugated to the other, and that both of them keep the balance between them. This suggests that the restrictions with which a child faces should be considered in an educative sense. This is motif of educational scrutiny of democratic being. This conception of equality may give solid background for the doubtful question, “Do the public schools provide the students the ability to be free to enjoy the opportunity of equality?”

Conceptual Analysis of Equity

The analyses of democratic principles of freedom and equality indicates that those conceptions are rather a way of living which is conceptually related to each other as sufficient conditions as well as necessary conditions. As examined above, Aristotle’s logic of distributive justice is not applicable to the mode of human existence, requiring another explanation. Besides, competition implied in the mode of human existence needs a balance point to indicate what the conceptual relationship is like. This section deals with the conception of equity as a balance point of those democratic principles which entail not only the relationship between individual and society but also the categorization divided into *within* and *between*.

Initiation of the issue of equity. The analyses of freedom and equality indicate that *freedom from* the given restrictions works for equality as a sufficient condition and, in turn equality works for *freedom to* do what a child likes to do as a sufficient condition. This conceptual relationship between freedom and equality⁶⁶ enables us to formulate conditional functions like this: If a child is free from any given restriction, then the child will be aware of himself/herself as equal being, and if the child is aware of himself/herself being in the state of equality, then the child will be free to do what the child wants to do. If these functions are true, so will their double negatives.⁶⁷

In terms of the nature of human existence, these functions may be paraphrased like this: If a child is free from others or the society as well as from self, he/she will be able to realize that without others the child cannot do anything and that nothing is meaningful. Further, this conception of equality of freedom is not to possess things, which are relative to others and related to others and self, but to share what the child got to have in the society, as Rawls (1999) said by his conception of justice as

66 Concerning the relationship between freedom and equality, Green (1963), in terms of equity, assumed a practical and causal relationship between freedom and equality by arguing that choice is an educationally relevant attribute in the principle of equity (p. 329) and whether or not some inequality are fair is implied by the principle of equity itself (p. 338), further implying that the ideal of educational excellence entails its own peculiar kind of equity but equality does not entail excellence (p. 339).

67 For example, if a child is not free from any given restriction, then the child cannot be aware of himself/herself as equal being and in turn, if the child cannot be aware of himself/herself as equal being, then the child cannot be free to do what the child wants to do. In these conditional functions, 'cannot' is more proper expression in that it involves that the child did not have equal opportunity.

fairness.⁶⁸ Then, if the child has the sense of equality of freedom, he or she will be beneficial to others as well as the self.

However, these functions involve some questions seriously dealt with in that by the nature of human existence, every child has each case of the conditional functions. In this sense, the relationship needs a balance point to demarcate to what extent freedom and equality should be allowed to each child and how the restrictions and allowance can be dealt with for each child. The internal and external criteria which belong to each conception need to be checked and balanced to signify their related states of freedom and equality. Furthermore, the nature of human existence between individual and society indicates that the state of freedom and the state of equality is not the result that can be acquired, but the process that continuously changes, like a measuring line without marks, under the effects of one's knowledge of self and others, entailing the tensions in the *within* category and in *between* categories.

Unlike the democratic conceptions which are regarded as discrete to each other, the democratic conceptions which are conceptually related to each other implies the process of educating the children to form and internalize the way of democratic living. Here, we can identify the differences in the relationship between freedom and equality: one relationship is a practical relationship without conceptual relationship and the other is a conceptual and substantive relationship. In this section, the focus is given on the latter.

68 Through his conception of justice as fairness, Rawls argued to sharing greater good with others is not the loss of freedom but beauty of freedom as well as freedom of choice.

Conceptual and substantive relationship. The conception needed to keep balance between freedom and equality is a conception that plays not only its negative role of not being impartial just by reducing inequality, but also its positive role of creating fairness by having responsibility for oneself and others. In this sense, the conception of equity is proper for a balance of democratic conceptions of freedom and equality in that it is based on the two keywords, fairness and distribution. Concerning the criteria of equity of fairness and distribution, fairness has been used for a way of equal treatment while distribution is used as a limited way of allotment of educational resources. However, equity in an ordinary usage, by its redundancy, has limitations to express its educational connotations, like “the quality of being fair or impartial”.⁶⁹ In addition to its obscurities, the conception of equity has been interpreted only in relation to the conception of equality. Above all, the criteria of equity do not have any practical and conceptual relation with freedom.

The definition of equity quoted below (Marshall et. al., 1989), explains well what equity is like in the educational context and why the conception of equity, rather than social justice or fairness, is proper as a balance point between freedom and equality, suggesting the conception of equity may be specified in terms of fairness and distribution.

⁶⁹ The meaning of equity is tautologically expressed, for example, as the quality of being fair or impartial, or the application of the dictates of conscience or the principles of natural justice to the settlement of controversies in the legal sense, or an equal allocation of educational resources to all children at a minimum level in a financial sense. Despite of obscurities, these definitions involve a notion of distribution in their defining words, like justice and allocation.
<http://dictionary.reference.com/browse/equity>

Equity is a matter of *redress* rather than one of *address*. That is, policy-makers cannot decree social equity, they can only create laws and social programs that relieve the effects of inequity after it has been identified. The need for governmental action cannot be recognized until some identifiable inequity has been shown to be serious and in need of remedy. Then action is only justified to the extent necessary to eliminate the identified inequity (p. 92).

Considered in prior analyses, equity must presuppose the conception of freedom, on which both equal opportunity and equal treatment must be taken into account. It implies a cyclic continuum, in which without freedom from internal and external restrictions, equality cannot work well; without sense of equality, one cannot freely do what one wants to do. In this continuum, equity connotes ‘fairness’ and denotes ‘distribution’ as the criteria of a balance point between freedom and equality, implying that to improve school quality necessitates distribution of it.⁷⁰ Here, when closely considered in the ordinary usage, the main focus of equity, reducing inequality and distributing resources, should be expressed like this: ‘reducing inequalities by distributing educational resources based on fairness.’ In other words, equity operates for the purpose of reducing inequality, by means of distributing resources, based on fairness.

In terms of the cyclic continuum of freedom and equality, here can be suggested ‘*a principle of equity for fairness*’: The degree of equality should depend on the degree of freedom from something and also the degree of freedom to do

70 When Coleman (1969) changed the concept of equality of educational opportunity “from school resources inputs to effects of schooling the school’s responsibility shifted from distributing equally its quality to increasing the quality of its students’ achievement.”

something should depend on the degree of equality. Distribution is not easy to be formulated as a methodological principle of equity in that it has been used in a quantitative sense,⁷¹ while referring to “not permitting greater inequalities” or the minimal level of distributions (Higgins, p. 38), or to an “ideological construct about distribution and the apportionment of resources in society through state action (Schaffer & Lamb, 1981, p. 2).

In this way, quality assumed in equity indicates something to be distributable, which implies to be dividable, which implies to be quantified. However, the limitations in measuring the goods to be distributed have been indicated in such representative theories as Aristotle’s equity principle of division in proportion to each claimant’s contribution, Bentham’s utilitarianism of the greatest good for the greatest number and Rawls’ difference principle of making the least well-off group in society well off as possible (Young, pp. 9-10).⁷²

71 Distribution expressed in a quantitative sense includes both ‘quantified quality’ and ‘qualified quantity. These problems are discussed in Chapter 5, in the relation with educational quality.

72 Young pointed out (1992) that decisions made in the institution-level could be recognized as follows: Aristotle’s equity principle states that good should be divided in proportion to each claimant’s contribution. But it has limitations to require the way to measure the contribution of each claimant on a cardinal scale and the goods to be divisible; Bentham’s classical utilitarianism asserts that goods should be distributed so as to maximize the total welfare of the claimants, but it has limitations because it has no method for comparing levels of satisfaction among different individuals, which are defined in terms of each individual’s preferences for different states of the world. Also, if we could devise some method for that, it is not clear that the utilitarian principle is ethically sound, since it might require imposing great harm on a few in order to confer a small benefit on the many. As the third approach to social justice, Rawls’ (1971) conception of justice can be summarized as difference

Actually, equity is mostly regarded as a matter of politics or a matter of economics, whose ideals are applied to educational context. Likewise, equity has been run through institution level of decision making rather than individual level of decision making. That can be numerated as the primary reason why equity has not regarded as value-laden word in an educational sense,⁷³ even if education is worthwhile (Peters, 1970; Wringe, 1984) and educational policy is viewed as relying on value-laden public beliefs (Iannaccone, p. 49). Further, because the issue of equity has been mostly discussed in terms of inequalities, ‘excellence’ in the discussion of equity is regarded as a discrete conception from ‘equality.’⁷⁴ This supports that the pursuit of equality, though sometimes demanded by the priorities of policy, is “neither the clearest path toward equity nor a direct path toward educational excellence” (Green, p. 340). In the next sub-section, the conception of equity is scrutinized in terms of the cyclic continuum of equality.

Criteria of equity as balance point. In terms of the nature of human existence, equity, *for the purpose of reducing inequality by means of distributing educational resources and based on fairness*, has been specified under democratic

principle which is recapitulated as the least well-off group in society should be made as well off as possible. (Young, pp. 9-10)

73 It is hard to understand an argument as a rationale of equity that “Given large inequality, we may presume that inequity exists, even if we do not know its sources. Hence, even though equality is different from equity, claims of inequity are strong when inequalities are very large” (Green, p 330). Here is no conceptual relationship between two concepts, except for practical relationship.

74 It has been taken for granted to think that “policies in pursuit of educational excellence are more likely to produce gains in equity than policies in pursuit of equality are likely to produce gains in excellence” (Green, p. 335).

principles. In the conceptual relationship between freedom and equality, the cyclic continuum of *freedom from* through *equality* to *freedom to* involves a rather complicated causal relationship with purpose. For example, a child, who is free from a lower test score by studying hard, may feel proud of himself/herself; the child tries to make an effort to be free from even the pride, because he/she knows that what makes him/her proud is not the result but the process to educate self in order to know and understand more deeply and widely not only self but also others.

The knowledge provides the child with sharing a sense of equality that everyone is unique, like himself or herself; (a) Insofar as the knowledge is presides over the child's mind, the child will realize that his or her own effort is beneficial not only to himself or herself but also to others, focused on *common good*, as a cardinal essence of equality; (b) The child, who is oriented to the internal power, may be willing to overcome himself or herself; (c) when he or she has the internal and external power freely to do what he/she wants, he or she will take responsibilities not only for himself or herself but for others. This is how individual is substantively related with the society as well as how freedom is related to equality.

In terms of the criteria of equity, fairness and distribution, the cyclic continuum of equity represents that 'freedom from ignorance' can be developed into equality through knowledge, which enables each child to realize 'equality' through *the consideration for others*, which originates in his or her realizations of human dignity, which will make him or her 'freely to' take responsibility for *common good*. In this sense, equity can be said in terms of fairness to legitimize excellence or school

quality for ‘freedom from ignorance’ and ‘freedom to’ take responsibility for *common good*. In terms of distribution, equity can be said to legitimize ‘sharing’ of human dignity through ‘*consideration for others*.’

The conception of freedom is the pivotal determiner for both equal opportunity and equal treatment, which suggests, in the same way, that the criteria of equity, fairness and distribution, should entail both the conceptions of freedom and equality, instead of being defined only by the conception of equality. It needs checks between freedom and equality based on equity. Both the social structure and the sorting system by competition have tendency to force the disadvantaged to stay in their social status, as suggested in Möbius Strip. How, then, equity works fairly to reduce inequality in the educational context?⁷⁵

Fairness: Excellence for common good. Fairness is legitimized by excellence⁷⁶ through improving school quality for ‘freedom from ignorance’ and ‘freedom to’ take responsibility for common good. In terms of *a principle of equity for fairness*’ based on common good, equality depend on both *freedom from*

75 Suppose a situation: there are two children. One is a child from the privileged family who shows great academic achievement and the other is a child from the poor family who shows the same achievement? Despite that this situation does not indicate any trace of educational treatments for each of them, the difference in the family background make a difference per se in our assumption.

76 No matter how successfully each argument on excellence may be presented in a scientific way, either for the influences of hereditability or for the effect of environment, what should be noted is that both of the arguments are just assumptions that cannot be verified insofar as we cannot explain everything concerning who one is, using a valid measurement to the questions, like how to clearly differentiate the effects of hereditability from those of environment? Concerning potential, there have been great debates on hereditability, which will be discussed in chapter V. Educational Substantialization of Democratic Conceptions.

something and, *freedom to do something* depend on equality. In terms of *a principle of equity for fairness* the degree of equality should depend on the degree of freedom from something and also the degree of freedom to do something should depend on the degree of equality. Excellence assumed in equity entails both individual excellence and social excellence toward common good.⁷⁷ Distribution is not easy to be formulated as a methodological principle of equity in that it has been used in a quantitative sense,⁷⁸ while referring to “not permitting greater inequalities” or the minimal level of distributions (Higgins, p. 38), or to an “ideological construct about distribution and the apportionment of resources in society through state action (Schaffer & Lamb, 1981, p. 2).

Excellence can be regarded as fair on the condition that everyone competes for freedom from one’s own ignorance to be free to do what one likes for common good, based on one’s own awareness that the nature of knowledge, by the dynamics of potential, cannot be measured and known totally to others as well as even to self. Thus, if fairness is applied to a way of treating each child, equity says on the principle that fairness should be given with special modesty by taking into considerations of both the degree of freedom and the degree of equality.

77 In the next chapter, excellence is further discussed in the public school context in terms of school quality. The argument that knowledge can be quantified through test scores innuendos that test scores do not connote freedom. Further, as suggested in Möbius Strip, the conflicting combinations of equality with freedom have inevitably produced infinities of inequality, without any solutions.

78 Distribution expressed in a quantitative sense includes both ‘quantified quality’ and ‘qualified quantity’. These problems are discussed in Chapter 5, in the relation with educational quality.

In the current public school system, dominated by the combination of market economy with a customer-centered policy, excellence is defined by test scores (Hutmacher, Cochrane & Bottani, 2001), and inequality in the process as well as in the result is legitimized by the right of individual excellence. Consequently, the efforts for excellence made by the public schools through improving school quality⁷⁹ have not guaranteed the productive results, tantamount to the efforts, as seen in like the HB 72⁸⁰ or tracking system.

In term of conceptual continuum, one of the crucial problems of these unintended consequences may be pointed out that they are caused by the pursuit of excellence for equality, without the pursuit of excellence for freedom. This makes us raise the question again which are the main questions of next chapter, “Can excellence be quantified?” more clearly, “Is it fair to quantify what should be qualified? “Does testing enable each child to internalize democratic conceptions?

79 The efforts have been focused, for example, on motivating student, insuring a minimum level of competency and identifying students in need of remediation (Coleman, 1969; Weinberg, 1976; Adler, 1982; Powell, Kearney, & Kay, 2001). However, increased enrollment accompanied a greater proportion of children with lower in academic ability, achievement motivation, and occupational aspirations (Schafer & Olexa, p. 5). Besides, diversified student population put pressure on high schools to develop a curriculum that would prepare student for the labor market (Spring, 1997, p. 254).

80 HB72 represented the pressure to equalize funding for school districts, caused by the filing of a lawsuit by the Mexican American Legal Defense and Educational Fund (MALDEF) in state court on May 23, 1984. Its major purpose was to narrow the gap of expenditures between districts by improving the quality of teaching. Naturally, equity has been the main issue under the guiding principles of both equal opportunity and equal access to schooling for all children to provide better schooling for economically disadvantaged children, handicapped children with the passage of Public Law 94-142 (1974), and children of Limited English Proficiency with the Bilingual Education Act of 1973.

The conception of excellence assumed in the conceptual continuum suggests that it should be supported both by individual excellence of freedom and by social excellence of equality. In terms of the conception of freedom, equity for fairness goes with each child's internal and external freedom from their restrictions, implying that he/she comes to have freedom willingly to take responsibilities for the society toward common good. Here, excellence, individual and social, involves that more freedom brings about more responsibilities within his/her free choice. In terms of the principle of equity for fairness, the degree of the responsibility depends on the balance between the degree of freedom from the given restrictions and then the degree of equality toward common good.

Distribution: Consideration for others. In the conceptual continuum, distribution, as the other criteria of equity, can be expressed like this: distribution should fairly exist both in freedom and in equality in that the conception of equality presupposes the conception of freedom. This implies that distribution in the sense of equality depends on distribution in freedom as prerequisite, in which distribution of educational resources is subject to work for freedom from internal and external restrictions. It implies further that without the awareness and the development of one's own potentiality, equal opportunity and equal treatment are of no use and of no fairness because every child has externally and internally different conditions and background in one's life. This would be the way to educate the dignity of a child.

In this sense, the principle of equity entails that school resources should be distributed based on what each child is in need to the extent that each child is free

from the lack of ignorance. Distribution in the sense of equality, further, is subject to work for freedom to take responsibility for the society as well as each child himself or herself. Insofar as the responsibility originates in the continuum of democratic ideas, the responsibility is subject to move toward common good based on both knowledge of others and knowledge of oneself. Insofar as a child is not free from any external restriction, regardless of his/her own choice, the restrictions should be compensated by the responsibility, while helping each child aware of human dignity through consideration of others, under the Golden Rule, Put oneself in one's shoes. In this sense, equity ultimately legitimizes 'sharing' of human dignity through 'consideration for others.'

This sense of distribution is quite different from its ordinary usage of distribution. In the educational practice, equity has usually been interpreted in a financial sense, extended from the distribution of political rights. Such distribution of resources without any considerations of freedom is far from equity in that it is not fair in that the educational resources have nothing to do with the life of each child. Besides, such distribution has rather underestimated "the importance of diversity and individual differences in each child" (Dobbs, 2004; Goodman, et. al., 2004; Meier, et. al., 2004; Neill, 2004). This suggests that what should be distributed is not a bunch of knowledge for the high-stakes tests or well-wrapped commodity because such things cannot reduce inequality at all. Rather, what is distributed should be the opportunity of making each one to examine himself or herself in the individual and social life in the way to penetrate into the human dignity by empathy and sympathy with others'

lives, which is related with 'being' of each child in terms of democratic continuum, rather than what is distributed or how much it is distributed.

In the educational context, the democratic continuum may bring forth existential advantages in its procedure. Instead of following what he/she has learnt without doubt, he/she may widen and deepen his/her internal standard through examinations in terms of what he/she is and what others is. The opportunity of knowing others and their lives in the society makes each one to penetrate into the human dignity by empathy and sympathy with others' lives. The opportunity for our children to think over and examine themselves and their own lives. Thus, the cyclic continuum of equity implies some criteria of equity: 'knowledge' and 'sharing' instead of 'distribution.'

By doing so, the child may discover his or her own way of learning and then manage to his/her own life. Thus, freedom and equality is not just concepts. It is a democratic way of thinking and living. In an educational sense, the process of educating a student as a democratic person connotes the process of making the students form the way of democratic thinking and living, while implying the requirement that each of the concepts, freedom and equality, should be dissolved in one's way of life.

Chapter 5: Educational Substantialization of Democratic Existence

The objective of this chapter is to scrutinize how to substantialize democratic ideas into democratic education to cover both the educational nature of democratic existence and its mode. For clarifying the educational nature of democratic existence, the meaning of ‘democratic being’ is probed in terms of democratic knowledge of excellence. Further, the educational mode of democratic existence is examined in terms of measurability and educability of democratic excellence, while suggesting alternative conception of educational quality.

Initiation to Educational Issues and Ideas

The historical and sociological examinations of the public school system revealed how democratic principles of freedom and equality run separately, implying that school reality contrast with democratic ideology (Mitchell, 2002; Wringe, 1984). Unlike those examinations, the conceptual analysis of democratic principles clarified that the democratic principles should be conceptually related to each other based on equity. The inconsistency between social structure and conceptual framework entails an educational crux of how to reconcile the inconsistency between democratic ideals and public schooling. What makes difficulties double is the educational paradigm with a triangle, composed of natural potential and environmental effects and educationally efforts, in addition to the fact that there are no educational criteria to judge clearly the educational meaning of democratic ideals.

To discuss excellence in terms of school quality, first, we may raise a question, “can it be possible to quantify school quality?” To argue that knowledge can be quantified through test scores, ‘test scores’ as a sort of knowledge, should meet the conditions of knowledge, truth, belief, evidence (Scheffler, pp. 8-24). However, one of the serious problems of regarding test scores as knowledge is its dysfunction to deprive freedom of the students in the public school system, implying that test scores do not connote freedom. As pointed out as an attributes of the Möbius Strip, the conflicting combinations of equality with freedom have inevitably produced infinities of inequality, without any solutions.

Educational issues of democratic education. The public schools in the democratic-capitalistic society represent the matrix of power,⁸¹ for which the conceptual analyses of democratic principles in the previous chapter imply that democratic principles are substantiated in the way of living and thinking through their interlocking conceptual characteristics between freedom and equality. In a democratic sense, every child in the public schools is assumed to be an equal being with such unequal conditions as unequal family background and unequally endowed potential. Also, every child is assumed to be a free being with the willingness to be restricted to the educative control of schooling. Either being equal or being free entails its counterparts, emphasizing that one can be equal by freedom from such unequal conditions and that one can be free by accepting control.

81 Concerning ‘power,’ Foucault (1977) indicated that power originated in a social body constituted by the universality of wills, as the effect not a consensus but of the materiality of per operating on the very bodies of individuals.

Continuously conflicting democratic ideas, socially inequality-driven social structure, and socioeconomic success-directed schooling say that nothing may happen in social status through public schooling.⁸² Besides, the capitalistic nature of human existence in the American public school system has confirmed what Möbius Strip indicates⁸³, a twisted and prolonged inequality, which might be caused by conceptually conflicting combinations of freedom and equality toward socioeconomic success. Consequently, Möbius Strip symbolizes the function of public schooling as a means of socioeconomic success. How, then, can it be possible that public schooling as a means of socioeconomic success justifies the end of freedom and equality in life?

In terms of the means and ends continuum, the capitalistic-democratic school system reveals a capitalistic means for materialistic existence to a democratic end for free and equal existence. The continuum seems to generate some intricate tensions between “policy focused on individual goals” and “principles focused on public rights” (Dworkin, 1977, p. 90). In its literal sense, it can be said that the individual goal defines the capitalistic means and then the capitalistic means is measured by the

82 The capitalistic nature of human existence entails that the more individualistic the less egalitarian because either economic power or social mobility is based on competition the function of public schooling (Mary, 2004; Kimball, 2004). Concerning this, Mitchell pointed out that this ‘capitalistic democracy’ with the ‘individualistic nature’ implies “some distortions of the original conception of American democracy” (p. 5).

83 In Chapter 3, the strip reflected, on the one hand, our unchangeable social mechanism under the logic of ‘separate but equal,’ against the oppressed where they cannot help but stay in their social status, however hard they may make efforts to escape from the place they have been oppressed. On the other, it suggests once-twisted way of thinking which suggests that we convert our current way of thinking in order to make differences.

democratic end. However, the dual policy of education which generates inequality,⁸⁴ meritocracy and egalitarianism, says that the capitalistic means, instead of democratic ends, has become the purpose of the public education, by which a child is destined to be in Klein bottle.

What makes the domination of the capitalistic-social Darwinian structure serious lies in its distortion of the democratic purpose of education for democratic way of thinking and living, consequently implying that all the democratic rights under such a structure are also predestined by a natural law like the survival for existence and the survival of the fittest. Ironically, since the *Coleman Report* (Coleman, 1966), which demonstrated the positive relationship between family background and occupational mobility, it is prevalent to think that family background, which represents hereditary and environmental influences, has more effective influence on the distribution of material reward than schooling.

However, neither the idealistic perspective that the public school may create occupational mobility nor the critical one that the public school hinders mobility and reproduces the social stratification (Baca, 2004; Clarke, 2004; Cusick, 1992; Kimball, 2004; Kronberg, 2005; Olszewski, 2004) can dilute educability of the public, even if it implies the separation of public education from democratic ideals. The reason is

84 Adler, 1982; Coleman, 1969; Powell, Kearney, & Kay, 2001; Weinberg, 1976. Especially, Brown & Harris pointed out that the increasing positive relations of social-economic status to educational achievement prove as if human excellence naturally depended on one's social status (p. 239), implying that insofar as each individual's social-economic status cannot be the same, human excellence is subject to produces its own inequality (Wishon & Geringer, p. 244)

that such ideal and criticism come from capitalistic criteria. In spite of that, the fact that the public schooling is determined by capitalistic criteria indicates both the mistake of the means for the end and the absence of democratic criteria.

There have been educational efforts to specify democratic conceptions in the public school system (Coleman, 1966; Chubb & Moe, 1990; Feinberg, 1978; Green, 1963; Jonathan, 1990),⁸⁵ while revealing that equality has been regarded as discrete from freedom and legitimizing inequality in the socioeconomic sense and also adding the ambiguities in the conceptual and practical sense. For example, inequality was said to have its own masks to make prevailing inequality look like equality (Hendrie, 2003; Moses, 2004; Nicholson, 2005) by singling out as important things such as abstract political rights and economic opportunities and by de-emphasizing other things as unimportant such as the large discrepancies in material well-being. Besides, many scholars have pointed out the discords between social purposes and the functions of public schools (Adler, 1982; Coleman, 1969; Powell et al., 2001; Weinberg, 1976) and gradual loss of a nature of education and any educative considerations for the kids (Herbert, 2003; Truman, 2004; Visalia, 2004). Great

85 Coleman (1966) changed the concept of equality of educational opportunity from school resources inputs to effects of schooling in the student's achievement through improving school quality rather than through equal distribution of quality. Chubb and Moe (1990) tried to provide an alternative by focusing on individual freedom and autonomy (p. 3) to solve the problem, equal treatment of the unequal children, as the main cause of the schools' poor academic performance (p. 37).

efforts, focused on quality education, have been made through expended assurance of equal opportunity,⁸⁶ regulating competitions.

However, the arguments have generated contentious questions rather than clear answers. On one hand, who knows and determines the extent of one's potential? What if a child's disadvantaged reality would be caused by disadvantaged treatments or hasty mismeasurement of one's potential in the public schools? On the other, does the removal of externally restricted conditions guarantee any solution of social problems? Is it reasonable to assume as if man's instincts, soul, mind and spirit were clearly divided and worked by its own function? The overarching and conclusive question is like this, "Can our public schools help our every child develop their full potential in their given realities and have his or her own visions and life towards the world as well as for him or her life?"

A glimpse of many educational policies and reforms show the lack of consideration for the public's existential state, pointing out a critical problem of how to deal with such educational possibilities, natural potentiality and given family background. In terms of hereditary and environmental effects, there have been some decisive assertions both on educability of potential and on its influential priority of

86 Recently, the efforts have been made by the prior President Clinton administration and through creation of national standards for education by Bush administration. For example, The *No Child Left Behind Act* of 2001 shows more positive involvement of the government in the academic results of the public schools for closing the achievement gap between disadvantaged and minority students and their peers" (<http://www.ed.gov>). Neither increased flexibility nor local control for school academic achievement is conceptually related to democratic ideals of freedom and equality.

hereditary qualities, like IQ (Herrnstein & Murray, 1994; Jensen, 1994; Terman, 1916).⁸⁷ The conceptual continuum may clarify the nature of educational policy which reconciles individual goal for the purpose of common good based on democratic principles. The education context, in which a child is intentionally restricted to school system, while necessitating control, suggests a new paradigm of the relationship between family background, public schooling and social success in terms of democratic nature.

This chapter begins with finding out the source of educability from the democratic way of thinking and living, not the conditions of life, in terms of the conceptual continuum of democratic principles of freedom and equality, based on equity. The educational nature of democratic existence is probed in terms of democratic knowledge of excellence. Further, the educational mode of democratic existence is examined in terms of measurability and educability of democratic excellence, while suggesting a conception of educational quality.

Controversial Assumptions on excellence. This section reflectively examines the democratic ideal of individual excellence for good person and public excellence for common good in terms of democratic conceptions of freedom, equality, and equity. The examination necessitates clarification of the notion of good or excellence as a prior concept. By the human nature of social existence, as an

⁸⁷ In terms of the development of potential, Behaviorists' tradition that emphasizes measurement by test scores as index of school quality (Hutmacher, Cochrane, & Bottani, 2001; Lemann, 1999; Mary, 2004), while the advocates of biological determinism, who regard prefixing potential, like generic factors, as unchangeable, see IQ as acceptable under the name of scientific data.

individual and social being, the two ideals can be summarized as an ideal of *democratic being for common good*. Also, by nature, the conception of excellence indicates that being free and equal indicates just one's existence of now and here.

To educate a child as a democratic person is not the matter of '*conditions*' but the matter of '*existence*,' in which both freedom and equality are more than rights and conditions of life. In this sense, it is more proper to say 'to initiate to the democratic way of thinking and living' rather than 'to educate a child as a free and being.' This requires that each of the conceptions, freedom and equality, should be dissolved in one's way of life. Then, what is the nature of democratic being assumed in the public schooling in the capitalistic-democratic society, where democratic ideals are expected to be internalized in each child? Every child, who is under the biological influences of hereditary and social influences of family background, is an individual and social being. Besides, the child in the classroom is the being who has the possibility of being alienated from classroom as a miniature of society.

Every child is equal by the nature of existence which is relative to others/self and related to self, whereas he/she is unequal by socially given conditions and generically given talents. However, nothing can be said about educational potential with certainty, because the potential is unknown even to self as well as to others. The potential suggests that we dignify each child not only because he/she has great potential but also because we do not know even how great potential each one has. In this reason, what matters to educators in terms of democratic ideals is to *help* each child free from unequal restrictions so as to manage their own lives for themselves

and also to *help* each child realize that everyone has equal right to be treated with dignity. However, the ways to help the children have revealed quite different assumptions under the apparently same purpose of developing one's potential and unavoidable tension between democratic success and capitalistic success.

There have been attempts and efforts to make potentials quantified into numbers, like IQ. Despite Binet's refusals to label IQ as inborn intelligence and to regard it as a general device for ranking all pupils according to mental worth (Gould, 1905, p. 152; Jensen 1979, pp. 361-362),⁸⁸ some hereditarians have argued as if one's substantial potentiality, particularly the cognitive ability and IQ, were unchangeable and inherited as the markers of permanent, inborn limits (Herrnstein & Murray, 1994; Jensen, 1998).⁸⁹ It would be right to argue that some generic factors make differences or even inequality from others in that the factors are regarded as family background. But, it is wrong that advocates on hereditary excellence argue that democratic excellence is genetically determined (Agassiz, 1850; Herrnstein & Murray, 1994;

88 Binet declined to define and speculate upon the meaning of the score he assigned to each child because intelligence, as he proclaimed, is too complex to capture with a single number, saying that the scale does not permit the measure of the intelligence, because intellectual qualities cannot be measured as linear surfaces are measure (Gould, 1905, p. 40). Rather, he worried that school masters with "exaggerated zeal might use IZ as a convenient excuse for getting rid of all the children who trouble us (Gould, 1905, p. 169).

89 One of the consequences is the biased correlation of homogenous grouping with socioeconomic class and race (Oakes, 1985, Herrnstein & Murray, 1994; Schafer & Olexa, 1971). Further, as many geneticists pointed out, it is so problematic scientifically and methodologically to separate genetic components from environmental contributors.

Jensen, 1969; Morton, 1839). That a child has such tremendous talents does not guarantee that the child knows how to live in a democratic way.

Considered in terms of democratic conceptions, the nature of democratic being is determined not by what talents or how many talents one may have, but for what and how one may treat such talents for himself/herself and for others. In this sense, the hereditarian arguments may be criticized as the concerns of functionalist, who do not care about people's perceptions of each child's existence or its moral value, who interpret quality just in the socioeconomic sense (Persell, 1977; Rodriguez, 1986) and who assert the rigidity and narrow academic emphasis of the educational structure (Tyack and Cuban, pp. 60-70).⁹⁰ Some generic traits may be biologically hard to change, while some social conditions are practically hard to change. Then, how may the public schools help each child free and equal, who is lodged in Klein bottle, composed of such biologically sociologically given contexts?

Those two factors, hereditary and environmental effects, have been regarded as the primary factors to characterize one's individual excellence under the assumption that inequality is nature while equality is denaturalization. The factors can be said as the sources of social inequality, which has no predictability and no scientific bases for the educational effects on it (Bishay, 2000; Burt, 1959; Gould, 1981; Lane, 1994). Here should be pointed out one of its dangerous consequences

90 Further, it can be pointed out that the hereditarian fallacy resides in two false implications drawn from these confusions: (1) the equation of 'heritable' with 'inevitable' (2) the confusion of within group with between group as well as the confusion of innate traits with acquired or given traits, discussed in Chapter 4.

that it conceals the inequality socially constructed under the name of natural inequality. This is an example to explain why equality without freedom cannot make difference, unlike Green's argument that equality can either be the best complement of freedom or its worst enemy (p. 339). Both freedom and equality are interlocking, keeping its balance by equity, as previously examined in Chapter 5. Freedom, which is protected by equal right by which each child has an opportunity to be free from some restrictions, is necessary for equal treatment. In this sense, quality depends on each individual⁹¹, who has the same right and duty but different circumstances and potential, characterizing diversity.

In terms of diverse potentiality, everyone is equally unequal while in terms of inevitable limitations caused by human nature everyone is unequally equal. What, then, are the criteria of equals and the unequal under the conditions that every child has both special talents and limitations to be treated in such a proper way for the development of their full potentialities? The diverse potentiality of a child prohibits us from being divided into the equal and the unequal, implying that every child has *special talents* to be treated in such a proper way for the development of their full potentiality. So, the quality expected depends on how much properly each child's potentiality is developed without any biased thinking and prejudices on the child.

91 Mitchell (2002) explained conceptual development of equality based on quality, focused on individuality which is strengthened by a fierce and often brutal competitiveness. He explained the relationship between equality and quality as the entire social edifice in which equality based on the aristocratic notion of quality was replaced with the notion of equality extended to all.

In the relation between excellence toward equality and equality toward excellence, Also to be fair sense of quality, the focus of schooling should be given on the counterbalancing provisions of any disadvantaged conditions as well as on the encouraging provisions of any advantaged conditions. The quality depends on how much properly each child's potentiality is developed without any biased thinking and prejudice on the child. In a democratic sense, a free person may try to be free from some disadvantaged context while an equal person may be willing to treat others as equal persons who have their own special talent or potentiality, representing only diversity instead of inequality. Here is a democratic implication of quality. Quality depends on the individual, who has the same right and duty, but who is quite different in their circumstance and capacity,⁹² making democratic society full of diversity, not inequalities.

Educational Criteria of Democratic Quality: Democratic Excellence

Democracy is the only effective method of educating the majority (Tocqueville, 1984). Democratic concepts, like freedom, equality and equity, can be regarded as an individual and social excellence, in that those conceptions represent the nature of human existence. The conceptual continuum connotes the relationship between each student's individual ideal and social ideals, which can be specified as

92 This problem would disappear if the education system simply recognized that children learn at different rates. This would require us to fix as constant the goals we have for students and vary the amount of time they are given to attain them.(Levine, 2004). Above all, testing system underestimates the importance of diversity (Benton & Hacker, 2004; Orfield, 2004; Hwang, 2005) because it focuses on individually gained result.

individual excellence of good person for social excellence of common good in terms of the nature of democratic knowledge.

These democratic concepts have been the rudder to interpret the realities, which policy-makers should take account of and make a decision for especially in the political and social context, in that the concepts are the reflection of one's social life. These democratic concepts have been the rudder to interpret the realities, which policy-makers should take account of and make a decision for especially in the political and social context, in that the concepts are the reflection of one's social life. This statement explains how the public schools have been a means to the political or social ends and why the American public education paid attention only to the conditions of schooling rather than to the realization of educational ideals, pointing out that all of democratic ideas have been interpreted without any 'educative' considerations.

Knowing democratic knowledge. In terms of the individual and social excellence, the pivotal thing is how the public schools induce each child experience to be free from his/her ignorance and other restrictions. According to Wittgenstein, experience needed to understand the logic is not *state of things* but *being of things* (5.552), which is prior to all the experiences.⁹³ Wittgenstein's conceptions of existence and non-existence call our attention to how to make our children

93 Wittgenstein, further, argued that the opposite of equality is not 'inequality' but 'a-equality' (5.552, 4.0621), implying one of the educational concerns about a child who may not care if he or she is equal or not, even if he/she has apparently and surely been oppressed and treated unequally, and so who needs equal treatment assuming as if he/she were equal.

‘experience’ the democratic concepts. For the public school is the place, full of experience of being which is needed in understanding of democratic existence, whose value can be internalized in one’s life by changing “the limits of the world” (6.43).⁹⁴

Can we know what equality is, without any experience of it? Is it reasonable to infer what we never experience from what we experience? Are the democratic concepts the concepts that should be not logically but conventionally justified? If so, we would have each conception of equality in each case, mostly dominated and justified by power mechanism, because everyone might be pre-dominated and observed by artificially given perspective which has been formed by his/her own belief or background. Can we agree that it is a problem of probability? What if there have never existed any absolute experiences, as Popper argued? Does the term of experience involve one’s prior experiences or contemporary context? Then, what does the experience of equality mean?

Wittgenstein’s conception of experience is not logical form but experiential substance, which can be known only by direct experiences of the given object.⁹⁵ In the epistemological sense, as ten million ignorance do not make up one knowledge (Tain, 1875), knowledge without ‘being’ does not constitute democratic knowledge

94 In terms of Wittgenstein’s way of thinking (TLP), educational situations are full of the objects that “cannot be thought “apart from the possibility of its connection with other things and apart from the possibility of the context” (Wittgenstein, 1922, 2.0121)

95 Wittgenstein argued that we did not have to experience the ideal but to experience an object because an object involves its form (2.0141). However, how do we know the possibility of the existence from the existent atomic facts?

because ‘common good’ is the qualitative will⁹⁶ for the good of the community (Dewey, 1942). In spite of that, the public schools have emphasized ‘quantified’ criteria such as test scores or ratings, whereas ignoring its relationship with each child’s way of thinking and living directed toward democratic existence as a free and equal being. When public schooling involves a way of thinking and living, it comes to have its intrinsic value, ultimately justifying the existence of both the individual and the community” (Jaeger, p. xvii). This implies that equality should be defined in terms of everyone, not everyone should be defined by the term of equality because everyone is an existent substance. Now it is the time the nature of democratic existence should be examined in terms of the nature of democratic knowledge.

Considered in terms of the previous analyses of democratic conceptions, democratic knowledge does not have its visible result, unlike architecture whose result is building. Democratic knowledge is assumed to be formed in the process of internalization through one’s continuous examinations of one’s own life due to the nature of the knowledge that cannot be filled or removed, like the nature of desire (*Lysis* 221a; 221b-e). In other words, the knowledge in the process is the one that one should continuously pursue for the sake of both freedom from ignorance and freedom to what the one wants to do and for the sake of knowledge of others for

96 Dewey(1929) argued in the sense that however great the quantitative differences of ability strength, position, wealth, such differences are negligible in comparison with something else - the fact of individuality, the manifestation of something irreplaceable (p. 854)

common good as well as considerations for others. In this sense, democratic knowledge has dual nature; self-knowledge and human knowledge.

Self- knowledge includes both *knowing* and *not-knowing* or *ignorance* of self and others (*Charmides* 167a; *Lysis* 218b).⁹⁷ Either knowledge or ignorance does not refer to “knowledge *that*” but “knowledge *what*,” suggesting knowing *the nature*, not ‘knowing *the facts*.’⁹⁸ The nature of self-knowledge allows us think that everyone has something that is unknown even to himself or herself. Paradoxically, the knowledge that has been already known not only to self but also to others is the knowledge that should be examined not to be prejudiced for and against self. Knowing self is the way to discovering and developing one’s own potential while for knowing others.’ Also, this is the way to consider the selves of others, which are congenial with one’s own self. In this sense, the knowledge enables a child not only to see oneself through examining others but also to see others through examining oneself. As a corollary of freedom from any prejudicial knowledge, here can be found the rationales of common good based on equality.

This kind of knowledge is not the one which can be attained or accumulated by memorization or training, but which should be left in being examined. To keep equity not to have prejudices for and against anything, the knowledge continues to be

97 The paradoxical knowledge of knowledge and ignorance seems to have something in common with Wittgenstein’s general form of truth-function: “Whereof one cannot speak, thereof one must be silent” (TLP, 6.00).

98 For example, even if a child may be taught in history class either about some facts about ‘civil war’ or of its historical implications, it does not necessarily entail that it made differences in the child’s life.

examined by discarding any pseudo-knowledge that makes one pretend to know what has been unknown. This suggests that ‘common good’ is one of the criteria of knowledge of ‘being examined,’ suggesting that the one who seeks for self-knowledge speculate *who the self is* and *how to live better*. As a result, the one will not do harm to others and to self. And, the one will give benefits to others by becoming a master of one’s life. Here is the consistency between individual good and common good, which can be achieved by speculating what the most important thing is in our lives and by changing our main concern from the amount of our possessions into “the highest welfare of their souls” (*Apology*, 30a-b). This will be the indirect way for us to reach to the meaning of equality of human being who has the same dignity. This is the knowledge supported by freedom and equality.

Educational nature of democratic excellence. Democratic concepts, as subject matter, have been treated as a bundle of knowledge as if they were accumulated in each student’s head, implying that the concepts are separate from our lives, revealing its fragility between ‘ideal of democratic life’ and ‘actual life.’ Highly competitive national and international contexts need always and urgently power elite, while justify the assertion that the focus of our schooling be placed on excellence. Then, who might be the elite? These questions can be convergent to the question, “What is democratic notion of excellence?” Without knowing the nature of excellence, we cannot say anything not only about individual excellence and public excellence but also about the excellence of democratic society.

Considered in terms of democratic knowledge, either freedom or equality should be supported by education quality. For success in the social-educational level, the crucial thing is to make democratic knowledge substantialized. This means that quality education in terms of democratic continuum should pertain to democratic ideas. What then makes democratic knowledge different from the existing school quality, measured by high stakes tests? Both conceptual and practical relation between democratic principles and democratic life indicates that the democratic concepts live with us though our way of thinking and way of living through the most surest and the only way of examining of our own way of lives⁹⁹ in our way of thinking and living through examining both our own lives and others' lives. It is a knowing of oneself and others, because as Wittgenstein says, values are out there, which implies that they are subject to be changed and which suggests that we need to have experience of "being" (5.552) and that the values of equality is be changed by (may be only by) changing "the limits of the world" (6.43).

99 Porter (1981) argued that excellence must become the single most important agenda of the schools for the survival of our nation if our promises are to overtake our problems because providing excellence along with equality and equity for all students in ours schools went beyond the framework of tradition which is so tragically inadequate. Without any clarification of the given conception, his idea provided high-sounding ideals of public schooling. In spite of that, excellence for all suggests that the potentiality of a child should be regarded as ideal because nobody knows the potential effects of one's hereditary and environmental traits on the potentiality in the one's social life.

Individual and public excellence in terms of freedom. A child may not be free from his or her given restrictions¹⁰⁰, but what is necessary for a child to be ‘free from’ some restricted conditions is to provide some meaningful opportunity for each child to be free from the limitations and restrictions of self in the public school system. Here, control by the authorities concerned with a child’s education should be based on educating each child to self-control, which should be based on freedom from constraints, like ignorance. The social context, where majority of the public are subject to be put into the Klein bottle, tells inequality, at the same time indicating lack of freedom, implying that equal opportunity necessitates the conception of freedom.

Unlike the suggestions of many educators, who think their primary objective of public education as “to raise awareness of social inequities and promote activism toward social justice” (Adams, 1997; Bell, 1997; Chizhik, 2005; Cochran-Smith, 1995; Farber, 1995; Ladson-Billings, 1996; Sleeter, 1995), the conception of freedom implied in the nature of democratic being suggests that the primary object is to provide the opportunity to learn how to be free. In this sense, the degree of freedom is determined by how much one is willing to make efforts to be free from the given restrictions, not by how much freedom is given to the one in that the more things one desires to get than needed, the less the one is free from the things as well as from the desires to desire more.

100 As Rowe said, the family environment makes a negligible contribution to IQ variation in adulthood, excepting perhaps children who live under extremely adverse circumstances.

Here, test scores, for example, can be given just as a result that the child may attain in the process of being free from ignorance, where the first step is to educate each child to compete with himself or herself rather than others, where individual excellence means control by oneself, not control by power. 'Freedom from' itself may be a criterion of such relative choice between better and worse. While 'freedom from' involves one's responsibility for what one chooses not to do in order to make himself/herself free, 'freedom to' involves one's responsibility for what one chooses to bother others' freedom. This is the morality of an educational excellence of freedom from. The one who is free from the given restrictions will be closer to the equality by being free, while the one who is free to do what the one wants to do will be closer to equality based on his/her considerations for others. This justifies an educational excellence of democratic knowledge. Here, control for a child can be legitimized only when each child is willing to be controlled to be free from the self that a child wants to be overcome.

In the capitalistic structure, democratic life is subject to undergo competition, by which inequality is legitimized under the name of fairness and supported by individual freedom. Meanwhile, the quality of democratic knowledge is continuously influenced by one's internal and external qualities, like senses, desire and even biased information. This is the reason why democratic knowledge should be assumed in one's veil of ignorance. Only different thing is the continuum of a means to an end, in

which academic achievement is given just as a result that the child may attain in the process of being free from ignorance.¹⁰¹

Individual and public excellence in terms of equality. The sense of equality is entitled to be given to the one who tries to be free from external and internal restrictions. In this sense, equality means that the one, who has different talents or interests, is treated and is given opportunities to develop one's own potential which is related to and relative to others, based on knowledge of others as well as oneself. Here, a pivotal but controversial point concerning equality is what determines not a high position but a *valued place*, in which one is willing to take responsibility for others as well as for oneself.

In general, the object of inequality is related with what one internally or externally has even if there are no educational criteria to judge the meaning of educational equality, except freedom. By the nature of equality, which is conceptually related with freedom even from the thinking that one possesses or knows something, equality does not connote inequality. There are only differences in its kind rather than in its nature. Here is a paradox of equality: in contemporary situation, that

101 The school choice movement—magnet schools, open enrollment, vouchers, and privatization—began in Virginia in 1956 to derail school desegregation and was later adopted by the late President Nixon as a part of his Southern Strategy; it was also supported by President Ronald Reagan and is currently being promoted by President George W. Bush (Carter, 2000). We believe that Belk's ending the use of race in school placement effectively ended Brown. At the same time, it ended the school choice movement. School choice is no longer needed to prevent busing of children for the purpose of desegregating public schools. Likewise, in-school tracking, designed to keep the races separate in desegregated schools, is no longer needed in racially isolated schools and should decline in the future. (Brown and Harris, p. 242)

paradoxical equality can be attempted and achieved only by those who realizes that everyone is equal, regardless what one has. Here are the meanings of ‘considerations of others’ and ‘common good’ implied in the democratic conception of equality.

The criteria of equality depend on the state and the degree of one’s being free. *Freedom to do as one likes*, as a necessary condition of equality, implies that the criteria of freedom depend on the state and the degree of one’s being of equality. Here, what determines the state of ‘being equal,’ drawn from freedom, should be the awareness of the value of others’ lives which means that every one is entitled to be free, not the value of one’s function in the society. This indicates not only the basis of common good , implied in the conception of freedom, but also the motive for the considerations for others, implying that the degree of *being equal* is determined not by how much greatly one may make contribute to the society, but by how much one is free from one’s prior achievements or from what one has. Here is a paradox of democratic excellence in that the one who wants to be excellent in a conventional sense can neither be indeed free from self, not be equal. This paradoxical way is the democratic way of living.

Equality, as social excellence, represents its benefits to all the people in the process of internalizing s way of democratic thinking and living. It can be said that what makes inequality is not only the absence of educational opportunity to make each child overcome his or her own internal and external restrictions but also the lack of education for our kids to internalize the intrinsic values of democracy and democratic ways of thinking in the process of schooling. This would be the way each

child may find out his/her own potential in the process of being taught from the teachers. However, in the contemporary schools, the index of equality is test scores, reflecting old conceptions of equity (Duncan, 1982), based on Adam Smith's idea of careers open to talents, can be defined in the basis of the dominant social stratification ideology that equates a fair chance with an equal opportunity.¹⁰² Here we cannot find any exit for equality because the public schools are a reflection of the society, as a composite of inequality.¹⁰³

If one lives in a democratic society, does that mean automatically that the one is an equal person? If one is treated as equal, does this mean that the one can be an equal person? These conventional questions¹⁰⁴ entail no necessary connection between equality in the 'legal' sense that men are born equally, and equality in the 'ethical' sense that they ought to be treated as equals. However, the meaning of educational ideologies and concepts can not be taken for granted but must be considered as problematic (Berger & Luckmann, p. 12), because whether or not individual differences may be developed properly depends on how to be educated.

102 In this case, one blames oneself because one failed to take advantage of opportunity available to all. On the contrary, Rashdall (1907) advances the principle that every human being is of equal intrinsic value. Every person be given an equal share of wealth or political power but rather equal consideration in the distribution of the ultimate good

103 As a result, the "structural realities do continue to exist within this society and within the schools that make learning next to impossible" (Shaw, 2001).

104 Here we face with so-called Reduction Problem what. The claim that men are equal is a claim that all men deserve to be given certain kinds of treatment (Gillies, 2004, p. 208). Or is "it right to call him or her equal if a student from the poor family shows great academic achievement?" These questions are just the questions to ask the result of treating two persons in a different situation equally, without any prior questions of one's existential state of being.

Further, we know by experiences that it depends on a child's voluntary choice to make it really work, however well-prepared an environment may be for students. So, when we say that the effects of environment on one's academic achievement are significant, the term, environment, should presuppose one's freedom of choice. So, equality is also not a bunch of knowledge that can be measured through testing system. To examine what happens inside and outside in one's life can be expressed as a dialogue with oneself.

Public schooling may be able to provide each child with material success as an effect of the process of being freedom as well as spiritual success as a cause of the process of being free. Here we can redefine the conception of educational equality as that all have an equal claim on the opportunity to learn and develop out intellectual powers. Only when equality presupposes freedom and equality involves common good can the public schools be free from the logic of a means to some socioeconomic end of group. However, the reality criticizes that the American public schools do not have their own intrinsic values, disproving that schooling is used only as a means for external success. The way to avoid any debates that can be raised in the multicultural society is to find its value in the process of education itself, not any longer in the capital-based society, in order to make the students the masters of their own lives based educational conceptions of freedom and equality.

Individual and public excellence in terms of equity. As balance point between freedom and equality, fairness¹⁰⁵ that involves equal treatment assumes that nobody knows to the extent of a child's potential is, while equal distribution is based on equal opportunity and equal treatment. Fairness assumes that one's potential is unknown to others as well as to self. Here, this assumption would be clarified in terms of Rawls's (1999) conception of 'a veil of ignorance' for fairness,¹⁰⁶ applied to persons in the original position,¹⁰⁷ he suggested that a person would not know who the others were in the real world, while explaining fairness through 'maximin rule'.¹⁰⁸ Rawls thought that each person, who might be least fortunate in the least unfortunate

105 As Rawls argues through his conception of justice as fairness, the loss of freedom for some cannot be legitimized by a greater good shared by others. Insofar as nobody knows the extent of a child's potential, it would be rather proper to say that, as Blumenbach (1775) argued persuasively, none were innately superior or inferior to the other.

106 Rawls's conception of justice is based on two principles, equality and distribution. The first principle of equality refers to the political rights-based liberalism which is compatible with the same freedom for others. Such political rights do not guarantee justice. The second principle of distribution points out the inequalities in society as the result of open competition of talents. The conception of a veil of ignorance is so suggestive for the best social contract, in which justice works for greatest benefit of the least advantaged and for the avoidance of greater injustice (Rawls, p. 4).

107 In the original state, people should imagine themselves without any government and so discuss what sort of government could be supported by a social contract to achieve justice. Rawls uses the conception of 'original state' not to justify the authority of some particular government but rather to try to figure out what basic principles should govern any society when it is set up

108 Rawls suggests a super-simple way to understand the original position: two persons have a piece of cake to share between them by cutting it into two pieces. They each like the cake and want as big a piece as possible. They agree that one of them will cut the cake once and the other will get to choose one of the two pieces. This guarantees that the cake will be shared fairly. This maximin rule applied to just two persons.

society, will want to pick the one society that offers the least bad alternative. This is the way Rawls conceives equality through his conception of fairness, implying that his conception of equality is discrete from one's state of being free¹⁰⁹ and that it can be quantified in a materialistic way for fair distribution.

Unlike current conception of equity which is outside each child's life, equity as a balance point of democratic principles goes with each child's internal and external life, by eliminating restrictions in terms of fairness. In the public school system, when democratic knowledge of conceptual continuum has its real power in each student's life, the social distance between the groups by which little acculturation will be reduced. If the knowledge is not internalized through each one's examinations of one's life and others' lives, we may find the fake knowledge that is superficial and de-contextualized (Gonzalez, 2001).

Based on the nature of 'freedom from' and on the sense of equality tantamount to the degree of freedom, fairness should be given with special modesty based on the principle of considerations for the child and also for others. If a child is willing to deal with the given restrictions to himself or herself without any interferences from others, the child will get benefit from it. If a child cannot deal with the given restrictions, it is fair to treat him/her not to interfere with what the given

109 Rawls does not claim that the liberties can only be legitimately exercised in ways that conduce to an equal distribution of resources. He claims that a just society can allow differences in the distribution of resources, so long as the result rebounds to the benefits of the least advantaged, and there is equal opportunity for access to the resources, and that private property, within certain conditions, can result in benefits to the least advantaged, so it is not to be banned.

child needs to, which is determined by to what extent he or she can manage to for himself or herself.’ In terms of democratic conception of equity, to make the poor free from any difficulties means not to give something they need but to give some opportunity to even the least fortunate to develop their potentials that have never known even to themselves. Such conception of equity would make the preferential program¹¹⁰ successful.

In terms of equal distribution for the allocation of resources, each public school depends on the standardized tests (Montgomery, 2004), proving equity gaps is determined by socioeconomic status, and further regional segregation. Unlike the government’s intentions to provide the disadvantage with practical opportunity of equality, significant changes hardly happen in terms of equal opportunity. In terms of benefits of equity, we may argue that without the prerequisite to freedom, all the considerations regarding equality turn out to be unfair because all the benefits are ascribed to the special class.¹¹¹ Many scholars unavoidably assume inequality in distribution, arguing that inequalities are just only if they work out to every person’s

110 One may claim that equal opportunity means equal shares in the surplus created by fair and just institutions of cooperative endeavor. The preferential program was said to yoke the outcomes of the most advantaged with those of the least advantaged in a contingency that ensures benefits for all regardless of their status or position in the group. This definition can be criticized in that it requires unjust transfers of resources from those who earned them justly through their own self-determined effort.

111 In Aristotle’s conception of distributive justice, the conception of equality ‘within category’ is based on the economic structure of the survival of the fittest, whereas the conception of inequality ‘between categories’ is based on the nature of human beings in that everyone is naturally unequal in their own abilities and in their backgrounds. The criteria here are focused on conditions rather than on human beings.

advantage (Rawls, pp. 60-90); only if the reasons justifying the inequality are the very reason normally justifying equality by the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation (Vlastos, 1971, p. 6).

However, these arguments neither involve nor entail any relationships between each democratic conception and each child's way of thinking and living. Democratic conception of equity suggests that what is necessary for equity is to substantialize what one wants to do in one's individual and social life. To do this, equity needs keeping the balance between *equality supported by excellence* and *excellence supported by equality* and the balance between *equal opportunity of specialized quality education* and *quality education of specialized equality*. These requirements suggest the democratic art of sharing by getting rid of prejudice and misunderstanding rather than accumulating a great deal of superficial knowledge. Naturally, these democratic conceptions characterize the nature of schooling in the process-centered education, instead of result-oriented schooling, implying that the process enables the democratic principles to be internalized in each student's mind. More ultimately, this is the excellence of equity implied in the logic of consistence of one's inside and outside.

The nature of democratic excellence suggests that what makes one excellent is the nature in the process that each child helps himself or herself to find out not only his/her own potential but also others, and develop it. In the practical sense, we are expected to inquire what determines and measures success in one's life, whose

starting point or circumstances are different from each other, and how we can know whether or not our education is successful. Consequently, those two conceptions lead us to the relationship between quality education and student success. The relationship conceives even more problematic issues than each of the notions itself according to its nature of the relationship, either the continuum of the means to an end or causal relation. Furthermore, its meritocratic aura of the two notions needs more clarifications different from the conception of excellence.

Problem of equity with school quality. The following is an example, a case that dealt with the problem of equity by improving school quality.¹¹² Texas House Bill (HB) 246 (1981, Chapter 75) and HB 72 (1984) represented a top-down reform, focused on individual opportunity in a more advanced and civilized society. The initial effects of HB 72 on Texas public schools were challenges to equity and excellence with conceptions based on the assumption that “a cultivated mind is the guardian genius of democracy” (TQE, 1985). HB 72 represented pressure to equalize funding for school districts, caused by a lawsuit by the Mexican American Legal Defense and Educational Fund in 1984. Equity has been the main issue under the guiding principles of both equal opportunity and equal access to schooling for all children, supported by *Brown*, the Civil Rights Act (1964), the Elementary and Secondary Education Act of 1965 for economically disadvantaged children, Public

112 Testing systems made the a high percentage of minority and poor families struggle with substandard facilities, inadequate supplies, the highest percentages of under-qualified teachers and under-performing children, and the high dropout rates (Wishon, 2004).

Law 94-142 (1974) for children with disabilities, and with the Bilingual Education Act of 1973 for children with limited English proficiency.

Test scores represent the effect of family background and especially socioeconomic status, reflecting racial inequality, behind which test scores are legitimized by unequal treatment of the unequal. As a way to escape this cyclic structure, prior discussions suggest that the relationship between *de jure* and *de facto* should have been conceptual and that what is needed is different criteria for equality, not different criteria for differences. Here is an exit to racial inequality. Also, we find a dilemma caused by the tension between individuality and collectivity.

Although the issue of equity was aimed to motivate students, insure a minimum level of competency, and identify students in need of remediation, “the strict grading standards” given by HB 72 (1984) generated great concerns about increase of “dropout rates because some students thought that they might never meet the graduation requirements” (TQE, 1985, p. 6). By theory, the measures in HB 72 designed to encourage higher standards in the teaching profession and reward excellence should have been moderately successful (TQE, 1985, p. 13). However, the superficial realities of a much lower failure rate after an initial high rate of failure concealed the genuine reason of the improvement, called “teaching the test” or students’ inescapable choice of dropout instead of failure in tests (TQE, 1985, p. 15). The practical lessons from HB 72 again remind us of the dynamic nature of education that needs balance between educational policy and substantial realities of all the people related to educating. This may be one of the reasons why the teacher-centered

school reform efforts in HB 72, despite its democratic intentions and framework, were not successful.

Educational Mode of Democratic Thinking

The conceptual relationship between freedom, equality and equity involves the awareness of *being democratic* through democratic way of thinking and living. The democratic existence entails that an individual and social being exists now and here by examining what he or she thinks and how he and she lives. In this sense, the process of initiating the students to the way of democratic life can be said as the process for the democratic concepts to be substantialized to live as a free and equal being. This is the way democratic excellence can be found in the democratic way of living, while practically involving inspiring leader without being ruled by others slavishly. So long as one has a relative to others/self as well as related to self, as perception and desire, the one is subject to undergo ignorance of others and of oneself. This kind of ignorance is the strong basis of democratic knowledge which implies the knowledge is by nature regressed to ignorance.

The knowledge above suggests a meaning of democratic quality as follows: *on behalf of freedom, one may try to be free from ignorance and on behalf of equality, one can be equal by being regressed to the state of ignorance.* In this paradoxical knowledge, there will not be any alienation of individual being from social being, any contextual separation from society. In this sense, schooling can surely be the best means to make considerably social change when directed toward an ends, in which

individual excellence involves common good in itself insofar as one seeks for democratic knowledge based on democratic conceptions of freedom and equality. The pivotal problem is how the relationship can be substantialized in the current public school system, represented by Möbius strip.

The current public schools have focused school quality for *success of all* through the parental choice, state control and teacher's accountability, as seen in the *No Child Left Behind* act (NCLB) of 2001. However, identifying test scores with school quality¹¹³ as well as human ability with human potentiality tends to conceal the realities, while justifying "systemic oppression" through segregation (Urban, 2004) and legitimizing segregation as inevitable,¹¹⁴ based on the logic of unequal

113 School quality is measured by mandated tests (Powers, 2004), while driving a child who has lower academic achievement into "a cycle of personal, social, and economic decline that debilitates and erodes their capacity for improving their own prospects for life" (Mithaug, 1996). Many educators strongly suggest that the test systems be supplemented (Olson, 2004; Neill, 2004; Meier, et. al., 2004), pointing out the side effects of testing system such as teaching by rote memorization and "cheating" in state tests (Benton & Hacker, 2004; Orfield, 2004), increased retention rates or drop-out rates, which confirms the tensions between the equal opportunity and equality in educational outcomes (Bruni, 2003; Kimball, 2004; Levine, 2004; Merrow, 2004; Olszewski, 2004). The poor quality of education (Anderson, 1988; Brown, 2004; Jaynes & Williams, 1989) is ascribed not to the social and educational responsibility but to each individual who might face with such a disadvantaged situation.

114 For example, to the teacher is applied merit system; to the students is applied unequal shares based on relevant differences in the case of testing, and on the degree of extant inequality in the case of finance. Under this logic, the equal opportunity just means 'equality before the law' without any obligation, while the equal treatment means unequal treatments of the unequal based on differences, by which an individual's equality is interpreted in terms of one's own natural and social conditions.

treatment of the unequal. In addition to the policy of the three-strikes-out,¹¹⁵ all the other educational issues in the public schools have been interpreted in terms of test scores, implying that they are interlocked with one another (Merrow, 2004).

Many educators point out that the most important way is to improve school quality (Ben, 2004; Bowler, 2003; Freedman, 2004; Kimbell, 2003; Marchant & Paulson, 2005; Merrow, 2004; Orfield, 2004). If test scores represent excellence and consequently quality education, the phrase *success of all* measured by test scores can be regarded as democratic. The problem is how the conception of quality can be quantified. What can the adequate measures of democratic quality and can it be educable to the children? The purpose of this section is to probe the educational mode of democratic existence by examining the paradoxical nature of democratic quality and its mode of thinking.

Initiation to the issues of school quality. There have been many doubts and criticisms about quality based on test scores (Dobbs, 2004; Goodman et al., 2004; Meier et al., 2004; Neill, 2004) and the side-effects of testing (Benton & Hacker, 2004; Ray, 2003; Young, 2004), consequently causing the unclear and unethical interpretations of educational quality (Bruni, 2003). There have been the criticisms that ‘success of all’, by its conceptual mystification, is degraded into a conflicting slogan of ‘one size fits all’ (Bruni, 2003; Neill, 2004) while adding uncertainties to our educational problems and showing disconnections between rhetoric and action

115 This policy has been criticized for manipulating the school quality by "dispelling the students who has failed in the tests outside the school" (Bruni, 2003; Kozol, 2005; Kronberg, 2005; Levine, 2004; Merlin, 2004).

(Moses, 2004; Richter & Boeder, 2004; Sadler, 2004). This symbolizes the disconnections between testing scores and educational quality. But, what does the educational quality mean? Under the means to a capitalistic end of socioeconomic success relationship, the public school system of “fair competitive inequality” (McDermott, p. 227) makes us doubt if every child, who lives in a democratic society, exists as a free and equal being. Here is discussed the educational nature of democratic quality, compared with the conventional sense of educational quality.

Quality can be expressed as ‘possessing something congenial with the nature,’ (*Lysis*, 218b-220a, 222c) implying the consistency of one’s inside and outside in that the nature is subject to be presented. As Socrates said (*Lysis* 217 c-e), the hair looking white by flour is, by nature, different from the white hair that old age has brought upon even though our sense says the same. Whiteness of the former is not the nature of the hair while that of the latter is presented with the hairs themselves. In this sense, the quality in the educational sense can be expressed in terms of its nature of education as follows: *change toward something worthwhile by a morally acceptable manner, based on one’s willingness*¹¹⁶ (Peters, 1970; Scheffler, 1960). Likewise, democratic quality can be expressed as ‘*being free and equal in a fair way by possessing something congenial with the democratic nature based on democratic*

116 Insofar as education is “something worth while, which implies that it is being or has been intentionally transmitted,” to educate students is “not only an achievement but also one that is worthwhile” (Peters, p. 25). Also, as Scheffler (1960) points out, education is the worth-driven and success-oriented practices, in which success might be marked by general virtues such as a sense of relevance, precision and the power to concentrate and by more specific virtues such as courage, sensitivity to others and a sense of style (pp. 38-44).

conceptions.” The quality in the public school in a democratic society can be dealt with based on the democratic and educational nature.

The quality of democratic education that is based on the substantial relations between democratic knowledge and each child’s individual and social life is in the process. Democratic excellence assumed in the conception of democratic knowledge refers to the substantive knowledge in the individual and social life, which needs the continuous examinations of one’s life and others’ lives. Here can be suggested the rationales of democratic quality based on the conceptual relationship between democratic concepts: Democratic being should respect others not because that is the way to lead to freedom but because everyone has his/her own dignity; democratic being cannot help respecting others and their lives not because others live in a community or in a nation but because he/she is free from all the restrictions through the understanding of human dignity, which implies that he/she treats others as the equal.

Without the prerequisite of freedom, all the considerations regarding equality turn out to be unfair because all the benefits are ascribed to the special class. This implies that the only way to attain equality depends on individual freedom to live with human dignity in a democratic society. Unlike Green’s argument (1983),¹¹⁷ if we

117 Green (1983) argued that a yardstick of equity is educational excellence, further arguing that the pursuit of equality, though sometimes demanded by the priorities of policy, is neither the clearest path toward equity nor a direct path toward educational excellence. (p. 340).

are confused about the place of equity in educational policy, it is because we are confused about our educational conception of democratic excellence.

Human nature, relative and relative, allows self to be in relative state, superior to or inferior to others. Democratic quality provides the way to be free from relativistic existence by looking through self in order to know others as well as self. In this sense, unlike Marx's argument (1844; 1859), the democratic being in the capitalistic society cannot be alienated from the capital insofar as he or she is a free person. Unlike Durkheim's argument (1960; 1965), the democratic being exists not by automatic subjugation to the natural law through fierce competitions and to the specific and natural functions and structures in an organic entity, but by willingness of sharing what he/she wants to do with others, in addition to his/her job. Here is the principle of diversity supported by democratic conceptions.

The conception of diversity protects the children from being divided into the equal and the unequal, or into the elite and the public,¹¹⁸ because it means that the democratic existence of a child may cover multi-roles or various works in the places where he exists in order to learn how others live, while examining how the child lives. In this sense, the public school with diversity has great power. This suggests that the democratic sense of the public is the one who should continue to make efforts to

¹¹⁸ The term of the public is a reflection of social economic background as a composite of race, ethnicity, SES and even generic or environmental influences etc. The elite in the democratic society is not the one that can be 'conventionally justified' (Hume, 1740) and the one that is a problem of probability (Carnap, 1959). Rather, the elite may be the one who may never exist by any absolute experiences, as Popper argued.

make oneself good based on a system of mutual obligations rooted in personal relationship (Simmel, 1949), because of the possibilities that anyone may be misled by human nature.

Conventional Sense of educational quality. By what criteria can we know and judge education quality? This question can be inquired in terms of both the purpose of education and the function of the public schools. One may define school quality as *quantified quality*, implying that educational quality can be quantified enough to measure how much successful a child is in class.¹¹⁹ Quantified quality, based on a triple mechanism, composed of state control for testing, teacher's accountability, and parental choice, is supported by the assumption that the changes in behavior entail the changes in mind, justifying that the more testing or high-stakes testing will improve educational quality. This assumption justifies not only excellence by forcing students to possess basic skills and information as well as certain qualities of character but also equality by helping even the most disadvantaged students at the minimum have the abilities needed for their social lives.

For democratic education, 'quantified quality' works for as the criteria of equal treatment and equal opportunity under the name of objectivity, based on a customer-centered policy and market economy. Also, it is regarded as appropriate criteria of equity, on which the same conditions and the same qualities are provided (Nicholson, 2005). But, on what bases can it be possible to objectify educational

119 To measure a child is too biased and dangerous an attempt in that it assumes that one has an accurate reflection of "the innate and unchangeable intellectual capacities of people" such as IQ (Gould, 1996).

quality? If 'quantified quality' is the answer, democratic conception implied in it is only an equalization of differences.

Conceptually, the conception of quality has been developed through the cycle of equality and excellence into equality towards excellence. This blind assumption that democratic knowledge can be quantitatively measured and publicly possessed by the people results in the blind conception of school quality that a child's potential can be quantified as test scores (Meier, et. al., 2004; Neill, 2004; Olson, 2004) with blind estimation of each child's existence. The contradictory conception of school quality,¹²⁰ which is intended for *the solution* of inequality (Hutmacher, Cochrane, & Bottani, 2001; Kimball, 2004; Moses, 2004; Spring, 1997) but directed to social success, seems to produce resegregation fraught with institutionalized regions (Justin, 2006; Kozol, 2005; Nicholson, 2005; Orfield, 2006). This phenomena represents *separate but equal* which refers to the reality of *substantially separated but superficially equal*, as seen in accountability which emphasizes control instead of freedom with responsibility, school quality which is controlled rather than which liberates each child's mind, separate from real life, school choice which depends on socioeconomic inequality. On what bases can it be possible to objectify educational quality? If 'quantified quality' is the answer, democratic conception implied in it is only an equalization of differences.

120 The public schools, focused on conditions rather than human beings, produced inequality rather than equality in the relationship between the function of schooling and social success (Adler, 1982; Ben, 2004; Coleman, 1969; Freedman, 2004; Merrow, 2004; Orfield, 2004; Powell, Kearney, & Kay, 2001; Weinberg, 1976).

Under the metaphor of the Möbius strip, there would be no change in the social structure that is designed to promote the advantage of social groups per se. Speaking strictly, what ensures everyone succeed in the competition is not the equal opportunity or the same conditions, but freedom that is provided to each child for the removal of social evil, like ignorance. The motive power for change is not out there, full of relative inequality, but within each child.

Public schooling cannot support social justice insofar as the schools develop *quantified* excellence rather than *substantial* quality in the sense that the true developments and reformation come from the classroom, where the individual student's active participation enables each student to create both equality and excellence based on school quality. A test cannot show one's way of thinking or change of one's inside.¹²¹ This suggests the educational requests for supplementing the test systems (Olson, 2004; Neill, 2004; Meier, et. al., 2004). These requests say that the differences should be examined in terms of human diversity, not in terms of inequality, while recommending that each student should be considered as a democratic person who is deserved and obligated to live with equality and freedom. The problem is caused by the difficulties that we cannot have fairer criteria than testing. As a consequence, institutionalized scores and institutionalized regions (Justin, 2006; Kozol, 2005; Nicholson, 2005; Orfield, 2006) may create an unequal

121 Rather, the test score can be dangerous instrument by causing the loss of humanity when a child identifies test scores, either higher or lower, with himself/herself. This confirms that the use of tests based on "Thorndikian" tendency (Kohn, 1999) has dominated public schooling by its "mistaken myth of meritocracy" (Lemann, 1999).

logic of distribution, like unequal distribution to the unequal, justifying by inevitable segregation which is naturally determined. Without the changes in systemized conception of human being and institutionalized conception of social success, there would be the distorted conceptions of democratic principles, generating dehumanization and de-democracy.

Paradoxical Nature of Democratic Quality of Education

Public schools, which have worked for the public as a means for social mobility and worked for the government as a means for better society, lead us to a question, “What is the end of public school intrinsic to its democratic nature?” As Möbius Strip indicates, the public schools in terms of a contradictory conception of school quality which have conveyed *success of all* in ideal but *segregation* in its reality have revealed its twisted nature of democratic education by the nature of democratic-capitalistic society. For example, most of high school dropouts from the disadvantaged families cannot help but put into the Klein bottle with further no exit.

The way of thinking and living reflects the continuous process not only of knowing a self unknown to others and even to self but also of freedom from the knowledge of self. However, this ideal process of developing students into a democratic public is, in practice, full of tensions and conflicts originating from the relationship between individuals and society. The child who has been initiated to democratic quality tries to study hard to be free from ignorance, but not to be higher

test scores, and by doing so, the child learns to know how to free from the restrictions and how to overcome self. The test scores is just a result of the process.

In this sense, democratic quality implies a paradoxical meaning of teaching in which teachers help each child how to teach himself or herself as the process of self-education. In terms of the democratic conception of freedom, the current public schools infringe teachers' freedom of learning, the accountability which does not allow freedom to teach, and the parental school choice which is no more than a perfunctory right. Instead, public school should make vital efforts to make the students learn to think seriously, to examine their lives and their social environment critically.

When democratic quality has its real power intrinsic to each student's life, social distances between the groups will be reduced. when each 'self' is not supported by the internalized knowledge and so does not imply social nature, as shown in the case of Charmides, whose words were not drawn from his own examinations on his ordinary lives (159c-160b) and on others' lives (161a-b). Here is a continuum of concept and practice, and, further, life. A concept has its own meaning only when it is applied to practice, while practice has its own meaning only when it is internalized in one's life. This would be the process of praxis of democratic concepts. How each individual makes his/her own critical changes into social being helps each child form one's own identity in his/her life. In term of democratic way of thinking and way of living, inequality should be transformed as diversity and it can only be accomplished by freedom that enables one to lead one's own life by one's own choice.

Excellence supported by educational freedom does not permit either “systemic oppression” (Urban, 2004) or segregation caused by selfish interests or biased desires. For example, if a citizen in a democratic society wants to be treated unequally as aristocrat, it disproves that he/she does not think everyone is born equal. If a citizen in a capitalistic-democratic society regards himself/herself as a loser, it disproves that he/she is not free from the social system and the capital, because free and equal person is neither winner nor loser. Democratic ethics is in one’s living itself, in which one continuously tries to be free from one’s own prejudices on others and to be equally treated as a free being. This is *phronesis*, practical Knowledge implied in democratic ethics. What is another paradox is that in contemporary situation, that paradoxical equality can be attempted and achieved only by those who are willing to lower themselves as equal, even if socioeconomically respected and regarded as the elite.

Criteria of paradoxical nature of democratic quality. Democratic people is the being not only who are free from vulnerability to the materialistic conditions and free to have their own ways of lives without any feeling of oppression, but also who are treated equally in the places where they have chosen in person. If a child’s existence is predestinated by socioeconomic status or materialistic conditions, paradoxically, the society can be called capitalistic, but not democratic in that in the society, where mistakes the means for the end, the child is neither free from nor equal to the material conditions. How, then, help a child live as a free and equal being in the society by developing his/her own potential, confined in a Klein Bottle with a triangle

basis of individually given background, natural potentiality and educationally intentional efforts?

Schools are the place where teachers, who are thought to know X, teaches what is worthwhile to the students, who are regarded to need to be taught X.¹²² Here, the purpose, subject matter and its method are assumed to have the consistency, while implying that subject matter should be taught desirable way for the formation of desirable state. In this paradigm, knowledge is power under the assumption that the knowledge can be measurable and educable. In this sense, some may refute the democratic knowledge cannot be knowledge in that if it is knowledge, it can be taught.¹²³ This is quite an ambiguous conditional because democratic knowledge cannot be measurable. Freedom from ignorance requires freedom from even what one has known not to have prejudice for or against something, which is the basis of equality. To teach democratic knowledge is paradoxical in that democratic knowledge is taught in order to be in the state of neither knowledge nor ignorance, not to have more knowledge.

Further, this kind of knowledge may constitute the nature of other subject matters (*Charmides*, 166c, 168a) in that all the knowledge involves common good. Concerning teaching, this suggests that when the teachers teach subject matters, as

122 This phrase can be added to this, “intentionally bring about a desirable state of mind in a morally unobjectionable manner” (Peters, p27).

123 Here, we face with a dilemma in Plato’s early dialogues, “If virtue is knowledge, it is teachable (*Charmides* 165; *Euthyphro* 14; *Laches* 194; *Meno* 87-89; *Protagoras* 361). Each conclusion in each dialogue tells us that insofar as virtue was not knowledge in the sense that no one knew what the given *areté* was, virtue could not be taught (Kraut, 1984; Robinson; Teloh; 1986; Brickhouse and Smith, 1994).

disciplines concerning human life, each teacher may try to help each child think of each topic based on the nature of democratic knowledge. At last, our children may know that all the knowledge is of advantages for in their individual and social lives, in which individual interests refers to common good. Thus, teaching of democratic knowledge implies that the knowledge which does not originate in one's life and which is not examined by oneself (*Lysis*, 216c) is of not use to oneself and to the society. By this knowledge, the public may choose a good leader because they may not be deceived by any euphonious words and hypocritical behaviors and because they may also be the leaders. Again, to teach democratic knowledge is paradoxical in that knowledge itself should be examined by one's life and others' lives (*Apology*, 38a).

However, our public schools reveal that the estrangement of academic success from democratic conception ensures *Klein Bottle*, which refers to no exit for changes in the social structure and in one's substantial life. In a macro perspective, a child's social or cultural right in a school is mostly pre-determined by parents' choices from the first, reflecting influences of one's given or acquired status on one's present life. One's family background socially pre-determined as well as his/her potentiality which is natural and peculiar to himself or herself indicates that the substances of educating a child are based on both one's social background in reality and intentional efforts in education. In a micro, under the null hypothesis, a child in a class, regardless of his/her natural talents or acquired family background, is taught to be realize what and how to do in his/her life. The gaps between macro and micro have worsened some practical limitations in developing one's own potentiality. But, if

democratic knowledge can be an alternative of this current public schooling, what is like? What does it mean to treat each child from different family background with a democratic way?

Our argument starts from the idea that *democracy* is a value-laden word, which cannot be objectified just by the capitalistic way and which highlights the *phronesis* (practical knowledge). ‘Democratic way,’ denoted not in itself but in its principles, implies how to educate the self in a democratic way. This is clarified by scrutinizing how to move beyond notions of self-education, suggesting the educative process that treats each student as a unique and precious being, based on *phronesis* that stimulate self- awareness. In this context, how to teach democratic knowledge in a democratic way is examined in terms of the criteria of measurability and educability.

Criteria of paradoxical nature: Measurability of democratic knowledge.

Many people believe that human excellence is innate and that it can be known by one’s appearance, family background or inherited talents and words and deeds. They may believe that the elite can be known by inherent gifts and amount of knowledge. However, democratic knowledge says that no one can know who one is just by one’s words or one’s behaviors, as proven in the public lives. Here is a tension between accumulated knowledge and internalized knowledge. Then, how should democratic knowledge be measured?

The nature of knowledge assumed in ‘quantified quality’ reflects the notion that knowledge, as subject matter, can be accumulated in a child’s head and that the amount of knowledge measured represent excellence supported by school quality.

The knowledge is assumed to be transmitted to each child. However, what is of use of the knowledge to each child's life? The knowledge which is accumulated in each child's memory with a bundle of knowledge is just useful to a few elite. The questions of the nature of knowledge reminds of the discussion of 'art' focused on development of each child's potential and *techne*,¹²⁴ focused on system's effectiveness and efficiency, suggesting the inconsistency between democratic quality and educational quality under the current school system.

The criteria conceivable to tell 'art' from '*techne*' can be said based on two propositions. One is if knowledge can be possessed and accumulated, and the other is if knowledge has results. These criteria confirm that democratic knowledge should be regarded as art. A child cannot be measured not only by nature of democratic existence, which is relative and relative, but also, by the nature of democratic knowledge, which cannot but be in the process of making the parts whole (*Charmides* 156c; 156e). What is interesting is that all of the persons have the same right called liberty, but the circumstance as well as the capacity of each individual is quite different, which result in inequality. This implies that the capacity and circumstances for one to enjoy one's own liberty operates as one of the major causes of equality. In the conceptual sense, democratic teaching implies that both freedom and equality

124 For example, the assertion that "A child's maximum educational potential can and will be accurately measured" (Hobson v Hansen, pp. 443-446) has focused on quantifying what cannot be quantified under the names of efficiency and rationality. It can be pointed out again that these principles are supported by the functionalists who assert that the rigidity and narrow academic emphasis of the educational structure was a major cause of this problem (Tyack & Cuban, pp. 60-70).

should be dissolved into each child's ways of thinking through the process of freedom from ignorance. Like the differences between hair looking white by flour and white hair that old age has brought upon, whether a child possesses a kind of knowledge depends on the nature of knowledge.

Criteria of paradoxical nature: *Educability of democratic knowledge.* Can democratic knowledge be taught to a child? Based on the nature of democratic knowledge and the nature of democratic being, this question can be specified into two questions: How is democratic knowledge taught? By what can it be known whether a child knows democratic knowledge, if the knowledge cannot be possessed? Related with the first question, the mode of teaching democratic knowledge is composed of each paradoxical component as follows: A teacher is not the one who knows something more but the one who is in the state of ignorance of and knowledge of democratic knowledge; teaching means not to teach something but 'to initiate a child to democratic knowledge; democratic knowledge is not the one that can be transmitted or possessed, but the one that is always in the state of ignorance and knowledge; the child is not the one who wants to know more but the one who is be a free and equal person.

These paradoxical components suggests a paradoxical paradigm of democratic teaching: A teacher who is in the state of ignorance and knowledge tries to initiate each child who is willing to be controlled by the public school system in order to be taught how to be free from the restrictions to be free to what the child wants to and to be a equal person. In this process, each child will see himself/herself exist as an

individual and social being in the society. When a child admits his/her ignorance, he/she tries to be free from ignorance to be wise. The child may find out that the more the child tries to make efforts to know, the more he/she is ignorant, because he/she may find out there are a lot of things to know. Here is a double benefit of freedom. Freedom from ignorance allows the child to do what he/she wants to do by seeing everyone is entitled to be equal, while freedom toward knowledge naturally allows the child to see that knowledge involves common good. In this paradigm, everyone knows limitations in his/her knowing, whereas each one's potential is unknown.

Then, by what can we know if a child knows democratic knowledge? The educational concepts assumed in each subject matter are the practical expressions of lives. To be taught them involves the process of thinking and living with the educational way of living involved in the given concept. However, democratic knowledge cannot be taught in an ordinary way, because what matters is not to know *that* a child knows but to know *what* a child knows and further because even to know what the child knows cannot but be changed under the influence of the parts related to self as well as relative to self. We know through experiences that knowledge is not always known by words or by conducts, let alone test scores. What is necessary to help each child to strive for being democratic is to realize that everyone has human dignity. Thus, the problems of democratic education are neither socioeconomic issue nor race issue, but human dignity issue in the democratic society. In this sense, nobody says that we educate race, not human being. This is the paradox of 'unknown potential.'

The problem of American schooling seems to come from means-oriented schooling. If American schooling had the 'educational' ideals rather than social and economic utopia, it would not need tinkering. Instead, the American public schools would provide the children with the opportunity to discover dignity by thinking over and examining themselves and their own lives. Democratic knowledge suggests that power may originate in the knowledge that makes the internal and external qualities whole, related to self as well as relative to self. This is the reason why a child has to examine both self and others and why test score cannot be a criterion of the elite. The elite exist only and always in the process of being democratic. In this sense, the process of educating can be said as the process of making the students form and internalize the way of democratic life. Here is the justification that the conceptions of the democratic principles have conceptually something to do with the reason what the public schools should do for our children, which means that each of them can be explained only in terms of the presence of the other. Here is the principle of understanding of diversities or differences.

Chapter 6: Case Analysis of Democratic Existence: the *Brown* Decision

The educational nature of democratic existence in the public school system reveals an ironic development, in which every state of “being democratic” makes a continuous state of “becoming democratic,” without any ideal state of being free and equal. Insofar as one cannot be free from self, either relative to others or related to self, all prior brilliant achievements and hard work can guarantee neither one’s state of being free nor one’s state of being equal. In this sense, everyone cannot help being in the process of the state of becoming democratic.

This nature of democratic existence explains why the *Brown vs. Board of Education* (1954) decision is “a matter of democratic education,”¹²⁵ beyond a matter of race (Brown, 2004; Waite & Crocco, 2004) and beyond a matter of class (Bowler, 2003; Brown, 2004; Marable, 2005) under the capitalistic economic system.¹²⁶ Although the *Brown* decision¹²⁷ is said to give “constitutional validity to the

125 Topeka High School was integrated, but most extracurricular activities, such as athletic teams and student advisory councils, were still segregated. After the *Graham v. Board of Education of Topeka* (1941), whose order made the junior high schools integrated, but some attempts to segregate junior high schools by offering only white students in grades 7 through 9 departmentalized courses revealed detrimental effects upon the colored children (Friedman, 1969, p. 542).

126 Class and race look like both sides of a coin. With the end of Reconstruction in 1877, an effective program for limiting the emergent class struggles of the later nineteenth century was forged. Many of the working class were newly immigrated people, who organized on racial lines as much as on traditionally defined class lines. Poverty is common, regardless race or class, but its impacts are different (Brown & Harris, p. 240; Reich, 1994).

127 “We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal. . . It is doubtful that any child may reasonably be expected to succeed in life

Fourteenth Amendment's Equal Protection Clause for all Americans” (Hudson, 2002, p. 51), it has skeptical consequence of segregation (Brown & Harris, p. 240), implying the educational tensions between educational equity and school quality. The purpose of this chapter is to analyze the *Brown* decision in terms of the substantive nature of democratic existence. Segregation, one of the unintended consequences of the *Brown* decision, is reconsidered in terms of the nature of democratic existence. Then, the decision is interpreted in terms of the assumed and proposed educational paradigm.

Initiation to the *Brown* Decision

The *Brown* (1954) decision held that state enforced, racially segregated public education was a violation of the equal protection clause of the Fourteenth Amendment to the Constitution, which was the important amendment for school desegregation.¹²⁸ The public’s unyielding aspirations for democratic existence seemed to enable political-judicial efforts¹²⁹ to work through the educational system.

if he is denied the opportunity of an education” *Brown v Board of Education* (1954), 347 U.S. 483

128 The Fourteenth Amendment, which granted citizenship to the slaves, applied the Bill of Rights to state action, provided expanded due process beyond what is found in the Fifth Amendment, and gave Congress the power to reduce the number of Representatives in Congress for states found disfranchising the African-American.

129 In *Plessy v. Ferguson* (1896), the Supreme Court upheld a Louisiana statute outlawing racially integrated rail travel within the state. Public efforts for change made it possible for the newly freed slaves to achieve a better life as free people, but the poor quality of education existed for African-Americans in the segregated South (Brown, 2004).

Review of legislation related to the Brown decision. There had been several litigations, even if unsuccessful, to demonstrate that some minority people had been deprived of the equal protection of the laws before the *Brown* decision (Weinberg et al., 1978, p. 25), as seen in the cases such as *Gong Lure v. Rice* (1927)¹³⁰, *Mendez v. Westminster School District, et al.* (1946)¹³¹, *Sweatt v. Painter* (1950)¹³², *Delgado v. Bastrop Independent School District* (1948),¹³³ and *Hernandez v. State of Texas* (1954).¹³⁴ Moreover, several school desegregation cases were consolidated, including *Bolling v. Sharpe* (1952) in Washington, DC: (a) *Brown v. Board of Education* (1954) of Topeka, Kansas, in which “segregation is declared to be per se inequality” (Friedman, 1969, p. 557); (b) *Briggs v. Elliott* of Clarendon County, South Carolina (1948); (c) *Davis v. Prince Edward County* (1951), Virginia, concerning inadequate provision of school facilities; and (d) *Belton v. Gebhart* (1952) of Wilmington,

130 In *Gong Lure v. Rice*, 275 U.S. 78 (1927), the decision of the Mississippi Supreme Court upheld that Martha Lum, a Chinese girl living in Mississippi, had been segregated from a whites only public school because she had no right to do that.

131 *Mendez v. Westminster School District, et al.* (1946), related to school facilities, uphold that the equal protection of the laws in California was not provided to children from Mexican families (*Mendez v. Westminster School District*, 1946, p. 549).

132 The state of Texas Court held that the separate law school for the African-Americans could not provide equal protection of the laws.

133 Its appellate case of *Westminster v. Mendez* (1947) secured a bridgehead of school desegregation cases, culminating in the *Brown* decision (Aguirre, 2005, p. 321). *Delgado v. Batrop Independent School District* of 1948 in Texas by the League of United Latin American Citizens (LULAC), in which the court ended state-mandated segregation of all Mexican American children unless they were linguistically English deficient.

134 *Hernandez v. State of Texas* of 1954 held that under the Fourteenth Amendment it was unlawful to exclude Mexican Americans from jury service based solely on their national origin (Aguirre, 2005, pp. 327-328).

Delaware, which concerned unequally supported state-funded public transportation to school.

However, the situation that not one African-American child had attended school with White children by 1960 in five Southern states¹³⁵ (Greenberg, 1994, p. 277) came into the question (Shields, 2004): “Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other tangible factors may be equal, deprive children of the minority group of equal educational opportunities?” Scholars note that *Brown* decision had the fastest and greatest effect on Southern states where overt segregation could be easily identified (Orfield & Lee, 2004; Patterson, 2001; Pearsons, 1996).

Although *Brown* took direct aim only at the South and those border regions where segregation was *de jure* which was imposed by law, it did not affect *de facto* which was created by social practices and individual choices racial segregation. One of the crucial problems seems to have caused by the gap between *de jure* and *de facto* (Chapman, 2005, p. 31; Gantz, 2004, p. 71; Hendri, 2003; Patterson, 2001, p. xx). However, insofar as segregation depends on social practices and individual choices, the gap should be dealt as democratic issue, not as racial issue, indicating that the problems should be solved by the conceptual and substantial relationship between freedom and equality, based on equity, rather than only by equity or equality.

135 For example, Alabama, Georgia, Louisiana, Mississippi, and South Carolina.

Since *Brown*, there have been varied and different efforts for desegregation as a major issue of the American public schools (Adler, 1982; Coleman, 1969; Hutmacher, Cochrane, & Bottani, 2001; Powell et al., 2001; Weinberg, 1976). Unlike democratic efforts through legislations¹³⁶ like the *Civil Rights Act* of 1964,¹³⁷ the Supreme Court, in the 1970s, refused to require states to bring equity in the funding of local school districts (*San Antonio v. Rodriguez*, 1973). *Milliken v. Bradley*¹³⁸ (1974) involved efforts by a school board to seek a metropolitan remedy to desegregate its school population, but the Court rejected the desegregation plan,

136 “Judicial policymaking” (Marable, 2005, p. 51) made differences in the democratic conceptions as a guideline. For example, in *Griffin v. County School Board of Prince Edward County* (1964) the Court declared that officials in Prince Edward County, Virginia, abolished public schools to avoid desegregation. Other school boards used freedom-of-choice plans instead. The court in *Green v. County School Board of New Kent County* (1968) urged the board to submit a plan that was speedier and more effective in desegregating schools. In *Alexander v. Holmes County Board of Education* (1969), the Court urged the lower federal courts to issue the order to become effective immediately (Brown, p. 259). In 1971, the Court in *Swann v. Charlotte-Mecklenburg Board of Education* approved the use of busing as a way to desegregate schools

137 The Civil Rights Act was amended in 1991 to reverse five U.S. Supreme Court decisions to maintain the original rights under the original Civil Rights Act and to expand its coverage. This expanded coverage under the act may be used in employment discrimination in segregated school districts (Brown, 2004, p. 261). This act gave the U.S. Attorney General authority under Title IV, Section 407 to bring suits against offending school districts, and over the next 5 years most de jure segregated school districts were desegregated.

138 *Milliken* was important because the 2000 U.S. Census reported that most White and Black children live in segregated neighborhoods and attend racially segregated schools (Brown, p. 259; Schmitt, 2001), showing a significant increase over the 1990 Census (Schemo, 2001). In addition to *Milliken V. Bradley* of 1974 (*Milliken I*), 4)8 U.S. 717 (1974), *Dowell v. Oklahoma City School Board* of 1991 (498 U.S. 237 (1991), *Freeman V. Pitts* of 1992 (503 U.S. 467 (1992).), and *Missouri v. Jenkins* of 1995 (515 U.S. 70 (1995) made similar decisions (Brown, 2004, p. 262).

implying that only school desegregation policy could not make changes without a change in residential segregation and economic discrimination (Flemming, 1974).

In this context, the “separate but equal” phenomenon has represented one of the persistent and sharp issues of American democracy, especially in terms of segregation in the geographical, social, economic, cultural, and educational senses (Adler, 1982; Coleman, 1969; Persell, 1977; Powell et al., 2001; Rodriguez, 1986; Weinberg, 1976). Consequently, despite that *Brown* was regarded to reaffirm the American promise of equality, the decision revealed the extenuated and fortified inequality (e.g. Jannie & Hancock, 2005), while creating mediocrity and reproducing regional segregations.¹³⁹

Since *Brown*, the American meaning of *demo* assumed in democratic education has been reinterpreted in terms of “equity,” especially in terms of educational quality (Cheryl, 2004; Fryer, 2005; Neill, 2004; Visalia, 2004). The *Brown* decision apparently revealed the status of a segregated child in the public school system by “race or social class” (Brown & Harris, 2004, p. 240). However, for the decision to be substantialized, educational interpretations, substantially applicable and active to every school context, is necessary, beyond color and class. In this sense,

139 Yet at the peak of court ordered desegregation in 1972, the U.S. Department of Health, Education, and Welfare estimated that only a 3% increase in busing resulted from school integration and the U.S. Department of Transportation estimated that school desegregation accounted for less than 1% of the annual increase in school transportation (NAACP, 1972). In *Belk v. Charlotte-Mecklenburg Board of Education* of 2002, the Fourth Circuit essentially reversed the Court’s prior decision in *Swann* case in that “race could no longer be used in making students’ placement in schools or classes within schools” (Brown, p. 259-260).

Brown can be regarded as a struggle for democratic existence with human dignity through fair distribution of educational quality, which represents an educational effort of substantializing the Constitution in school context.

Segregation in terms of the *Brown* decision. Everyone wants to be special, which involves being unequal to others. In terms of the nature of democratic existence, everyone should be unequal in order to be equal. Many scholars pointed out that 50 years out from *Brown* there were few changes in segregation in public schools (Brown & Harris, 2004; Rosenberg, 1991; Schmitt, 2001; Schemo, 2001; Wishon, 2004). In a sense, the 50 years seem a period of transforming an equal state of being into a same state of thing.

The problem of segregation in terms of school quality has been converged on inequality in the capitalistic system, representing two fallacies: (a) the fallacy of application of unsubstantialized principles of democracy to an educational context dominated by capitalistic logic and (b) the fallacy of application of educational policy that is impracticable to social contexts. Unsubstantialized principle comes from democratic principles focused on the democratic right without substance, whereas impracticable policy is caused by educational goal without substantialization to educational contexts.

These fallacies say that before implementing the given desegregation policies, democratic principles should have been substantialized in terms of educational policy

of desegregation¹⁴⁰ based on the nature of democratic existence,¹⁴¹ for which democratic principles are conceptually and substantively connected with one another, as examined in the previous chapter. Too hasty implementation of the desegregation policy seemed not to allow freedom to be substantialized for the purpose of equality, which should be balanced by both fairness for common good and distribution focused on consideration for others. This kind of difficulty in implementation of educational desegregation indicates a hidden logic of “separate but equal” (Hendrie, 2003; Moses, 2004; Nicholson, 2005) that seems to suggest resegregation.

Consequently, inequality in the public school system has been legitimized by double-edged logic, without any consideration of the rationales that underlie democratic principles. For example, tracking was legitimized as fair, based on *unequal treatment to the unequal*, even if it was also regarded as unfair, based on its *equal treatment of the equal*. Moreover, like other issues concerning educational

140 Some scholars pointed out that social-psychological variables, like shrinkage, penetrated psychologically the mind, body, and soul of African American children attending White schools. When African American children entered into historically hostile quarters, they encountered large and micro aggressions to voice, history, body, culture, and community in the face of presumed opportunity and possibility (Boyd-Franklin, Franklin, & Toussaint, 2001; Collins, 1998; Comas-Diaz & Greene, 1994; Fine, 1998; Jones, 1997; Thomas, Steele, & Davies, 2004).

141 For example, Coleman’s thesis (1975) made us believe as if resegregation had occurred in urban school systems due to desegregation by interpreting one of the main causes and consequences only in terms of racial issue of ‘white flight’ (Cataldo et. al, 1975) without any considerations of other variables, like school quality (John, 1975, p. 32) as well as demographic phenomena (Sly & Pol, 1975, p. 63).

equity, affirmative action¹⁴² also represents the tensions between democratic principles without substance and educational policy without substantialization to educational contexts. Certainly, the highly competitive social and international contexts need a double logic to satisfy both capitalistic-democratic needs. However, the fallacies mentioned above warn that educational policy, without substantialization of democratic principle into the educational contexts, would reproduce social inequality, legitimizing segregation.

Continuum of Segregation-Desegregation-Resegregation

The continuum of segregation-desegregation-resegregation in terms of democratic existence represents an epochal change of American democratic education in its framework and realities. However, behind the continuum has been the logic of ‘separate but equal’ (Smith, 2004), which reflects the public’s lifestyles. Here, democratic ideas lie in outside the public’s lives, instead of being internalized as a

142 In 1978, the U.S. Supreme Court declared affirmative action was constitutional but invalidated the use of racial quotas through the case of the medical school at the University of California, Davis. Allan Bakke, a white California man had not been accepted twice for admission to the medical school, despite his grades and test scores which surpassed those of many minority students. This case filed suit against the university owing to unfair “reverse discrimination” on the basis of race. An important turning point occurred in California, with the passage of Proposition 209, either “California Civil Rights Initiative” (1996) or the Hopwood v. State of Texas decision (1996) outlawed the use of race as a factor in admissions to universities (Marable, p. 37). As seen in the Grutter v. Bollinger decision, the policy was legitimized in terms of the quality of education, enhancing diversity by having individuals from different racial and ethnic backgrounds as part of a university environment.

democratic way living.¹⁴³ Whatever the criterion of the continuum of segregation-desegregation-resegregation was, either class or race, region signified one of them.

The “separate but equal” phenomenon has represented the “persistent and sharp” issues of American democracy that have produced several kinds of segregations, in the “geographical, social, economic, cultural, and educational senses” (Adler, 1982; Persell, 1977; Powell et al., 2001; Rodriguez, 1986). The unequal quality of education, segregated by social conditions, is legitimized based on an assumption that each individual is unequal in natural or acquired ability and in individual background. In terms of , unequal treatment of the unequal, this kind of inequality violates neither the principle of distribution nor the principle of fairness.

Logic of “separate but equal” hidden in educational quality. After *Brown* (1954), when the Supreme Court outlawed segregated public education facilities for Blacks and Whites at the state level, the ruling became a democratic issue related to equity of fairness and distribution. Although one of the primary issues is school quality, *Brown* seems to have made few changes in the academic achievement of ethnic-minority students (Kimball, 2004; Moses, 2004). In the years following *Brown*, school desegregation did occur,¹⁴⁴ despite organized massive resistance (Flemming et

143 Twentieth century American jurist Learned Hand wrote, "Liberty lies in the hearts of men and women, when it dies there, no constitution, no law, no court can save it." (National Constitution Center, Philadelphia, December 2003). On this year's fiftieth anniversary of *Brown* all Americans must explore their personal commitments to America's promises and what they are willing to do to realize them (Gantz, p. 73).

144 Desegregation led to the unprecedented numbers of African-American students who entered white academic institutions. In 1960, about 200,000, in 1970,

al., 1976, p. 293). In terms of equal distribution, the differences in school quality are legitimized by a structural disparity in access to revenues between property-poor districts and property-rich districts (Hendrie, 2003; Moses, 2004; Nicholson, 2005). It reflected a hidden logic of ‘separation’ by capitalistic logic but ‘equality’ before the law, without any efforts for educational substantialization of democratic principles.

Formal education existed for the African American to a limited degree until 1865, while implying that “separate but equal” at first stood for a racial issue, especially related to the African-Americans.¹⁴⁵ When considered in terms of unintended inequalities after the *Brown* decision, “separate but equal” can be interpreted as a class-related issue, indicating a prolonged social inequality by its social structure, even if diluted. This is compared to Möbius strip which is developed into a prolonged and extenuated line, while substantially representing Klein bottle, in which one is trapped in his or her social status.

For example, many African American schools received less public funding per student than nearby White schools. In terms of capitalistic logic, it can be

417,000, and in 1975, 666,000 African Americans enrolled in college. Similar gains occurred at every level of education (Marable, p. 36). In spite of that desegregation for black students was increasing until the late 1980, U.S. schools are becoming more segregated.

¹⁴⁵ The Reconstruction Congress, beginning in 1865, changed the Constitution to make it possible for the newly freed slaves to achieve a better life as free people. The poor quality of education that existed for Black Americans in the segregated South is well documented (Jaynes & Williams, 1989).

regarded as fair.¹⁴⁶ The problem here is that equality in the phrase of ‘separate but equal’ meant just same quantity or same treatment, further assuming as if equal access to equal revenues might guarantee equal treatment and equal opportunity for school quality.

In terms of the nature of democratic existence, “separate but equal” cannot be regarded as either fair or distributive, while indicating separation of equality from democratic conceptions. Further, school quality legitimized by capitalistic logic connotes neither consideration for others nor common good. What makes the problem worse is that the established image of equality masks prevailing inequalities by interpreting socially constructed inequality as natural inequality. In terms of the nature of democratic existence, the realities before and after *Brown* have revealed how much difficult it is to have the public lead democratic lives with human dignity.

The educational concern is how to convert such capitalistic conception of school quality into a democratic conception of quality. Each student in the public school system is neither the one who is treated equally nor the one who is free from constraints in a democratic society. In addition, the history of public schooling says that equal protection, the quintessence of *Brown* (Hancock & Hancock, 2005), has not been supported by either common good or consideration for others. This suggests that equal protection be supported not only by the right before the law but also as a way of thinking and living. Thus, “separate but equal” presupposes a matter of capitalistic

146 Likewise, to the parents in rich school districts, equal educational opportunity means leveling down, causing them to abandon their support for public schools (Scott, 2004).

structure as well as a matter of democratic existence of the public. Radically, it is a matter of democratic education, unsubstantiated democratic principles from impracticable contexts in the public school system. This will be examined through the following section of continuum of social inequality-educational inequality.

Continuum of social inequality-educational inequality. At the beginning of the strategy to end segregation, many scholars have focused only on fighting for equalization instead of fighting for integration¹⁴⁷ (Gantz, 2004, p. 72). According to the nature of democratic existence, neither school quality nor equity can take priority over the other, because they are substantially related, as are freedom and equality.¹⁴⁸ However, in the current public school system, both school quality and equity depend on socially and economically demarcated inequality, which predicts that such inequalities remain, regardless of either segregation or desegregation.¹⁴⁹ Regional segregation indicates a double disadvantage drawn from class as well as race,¹⁵⁰

147 The people seek to equalize black, inner city schools to their white, suburban counterparts (Brown, 2004). They feel that such equalization might be the closest they will come to holding America accountable to its noble promises of equality and opportunity (Gantz, p. 72; Jost, p. 915).

148 Most of educators tend to think that school quality is a distinct concept from equity. However, this state may be regarded as idealistic insofar as the public school is criticized for its failure to develop each child's potential. We cannot imagine such a substantive state of equity without change in thinking of teachers, parents, and school administrators.

149 As seen in the examples of "the get-tough policy" on failing student in New York City in the 1980s, in spite of all of resourceful efforts for the retention, it did nothing to increase student achievement. Rather, eventually social promotion created graduates who lacked the necessary skills for employment's not a pretty picture.

150 The prevalent phenomenon of segregation (Brown & Harris, p. 240) can be explained in terms of sub-phenomenon of 'the convergent issues but divergent

whereas test scores under desegregation may also generate and reinforce inequality in addition to socialized prejudice or a biased image of human excellence based on the academic achievement gap.¹⁵¹

The pivotal problem is that social inequality is a cause and an effect of educational inequality, while disproving that the provisions of physical facilities and other tangible factors is necessary but sufficient to provide minority children with equal educational opportunity. Further, the same treatment, focused on test scores, may result in inequality in that insofar as a child is relatively estimated by others and a child cannot be free from even his or her own self-perception, all the educational efforts to help less advantaged students through school quality are likely to produce inequality.

Here, one of the epiphenomena of *Brown* for desegregation was school choice¹⁵² for maintenance of racially segregated public schools (Brown, 2004, p. 260). School choice, after *Brown*, rather provided many White parents in Southern states with rationale for removing their children from the public school and enrolling in racially segregated private schools (Brown, 2004, pp. 260-261; Orfield & Lee, 2004; Patterson, 2001; Pearsons, 1996). By doing so, the parents escaped sending their

contexts' under the capitalistic-democratic society. Also, the characteristic may provide some rationales for how to understand the function, inversely proportional to each other in terms of the relationship between individual and society.

151 Conservatives believe the colorblind principle of merit is the fairest way to treat individuals while Liberals take the view that merit is unfair to minorities, who must be given an advantage in the present to make up for the discrimination they suffered in the past.

152 Choice is an educationally relevant attribute in the principle of equity (Green, p. 329).

children to integrated schools (Levin, 1999). “White flight” in the 1960s, the rapid exodus of Whites from big cities to the suburbs, may be explained as separation of unsubstantiated democratic principles from impracticable contexts.

Resegregation, caused by White flight as an unintended consequence of desegregation, can be legitimized by school choice (Brown, 2004, p. 260) which has never something to do with the conception of equality assumed in the nature of democratic existence. Naturally, school choice never implies an educational sense of responsibility, connoted by common good and denoted by consideration for others. To the contrary, “separate but equal” seems to have kept its place in the public system (Justin, 2006; Kozol, 2005; Nicholson, 2005; Orfield, 2006), in which regional segregation¹⁵³ which reproduces school segregation¹⁵⁴ is legitimized by social inequalities, like socioeconomic status or income levels, within ZIP codes (Garay, 2006; Gibson & Ross, 2007).

However, White flight occurred in school districts under court-ordered desegregation and “in those not under court ordered desegregation where sizable minority populations existed (Flemming, 1976)” (Brown, 2004, p. 262). If this kind of school choice can be interpreted as a device of reproduction or perpetuation of

153 Erankenberg, Lee, and Orfield (2003) reported that U.S. schools are becoming more segregated and that U.S. school segregation is now at a 1969 level in some regions of the country, even if desegregation for black students was increasing until the late 1980s.

154 One of the big problems is that test scores, in spite of “a minimum education to meet minimum standards for most of our kids” (www.texans4fairfunding.org), have become, under the name of equity, a device of creating segregation and legitimizing inequality.

inequality (Kozol, 2005; Young, 1994), it must be a radical issue of human dignity in a democratic society beyond simply an issue of race. Even if the exodus meant a choice for school quality, it should have been treated as the urgent issue of public schooling and democratic education, which needed taking efforts greater than simply living together and tolerating each other (Zukin et al., 2006).

The recent movements of resegregation¹⁵⁵ seem to urge integration by human relationship prior to geographical integration. As Dr. Martin Luther King, Jr. said in the 1960s,¹⁵⁶ segregation is not another name of SES (Eranksenberg, Lee & Orfield, 2003) but another name of the absence of human relationships based on mutual respects and human dignity. As Simmel (1908) pointed out, it is the human relationship rather than geographical proximity that determines the distances between races, based on sympathy. Further, as the nature of democratic existence says, it is an educational quality that determines the human relationship, based on understanding of human dignity. Here is a justification of educational quality.

155 For example, Whites are returning to big cities in large numbers while many African American are giving up on racially integrated neighborhoods and moving into all-Black communities (Nasser, 2001). Oakland in California, Chicago, and Harlem in New York are excellent examples of gentrification (Lerman, 2000; Scott, 2001; Wilgoren, 2001) in addition to many northern cities, such as Milwaukee, Oklahoma City, St. Louis, Detroit, Chicago, and Boston (Irons, 2002; Orfield & Lee, 2004; Patterson, 2001).

156 “Segregation injures one spiritually. It scars the soul and distorts the personality. It inflicts the segregator with a false sense of superiority while inflicting the segregated with a false sense of inferiority” (as cited in Washington, 1999, p. 121).

Revisiting the *Brown* Decision in terms of Educational Paradox

Brown has been based on the capitalistic conception of democratic idea of equality, which implies its balance between freedom, based on equity, revealing its reproductive but separated nature, as seen in the Möbius strip. However, it would be a hasty conclusion to say that test results depend on socioeconomic status or racial differences, insofar as test scores substantially cannot signify the state of being equal as well as the state of being freedom. Test scores is just a device for institutionalizing segregation.

On one hand, *Brown* decision began with a racial issue, especially related to unfairly treated and oppressed African American students, representing inconsistency between equality and excellence. On behalf of the oppressed, desegregation meant proportional equality after *Brown* decision because in terms of the human right before the law, the oppressed should not have been treated such a way.¹⁵⁷ On the other hand, *Brown* decision was democratic as well as educative in the sense that it became a cornerstone to new conception of democratic existence by challenging the conventional assumption of human nature which had been sustained over 200 years.

De jure desegregation is expected not only to provide the substantial basis for de facto desegregation but also to protect de facto desegregation from other

¹⁵⁷ Most of which exist along racial and ethnic lines. (Brown & Harris, p. 240) The important amendment for school desegregation was the Fourteenth Amendment, which granted citizenship to the slaves, applied the Bill of Rights to state action, provided expanded due process beyond what is found in the Fifth Amendment, and gave Congress the power to reduce the number of Representatives in Congress for states found disfranchising Blacks.

restrictions. However, since *Brown*, de jure desegregation has entailed a risk that all the democratic people might take through its de facto segregation because of the capitalistic structure of society.¹⁵⁸ In terms of the nature of democratic existence, this helps clarify the tension between class and race. Racial inequality and social inequality have common denominators of being socially constructed through history. Social inequality, as a cause and an effect of segregation, implies that solution to social inequality is not a conception of educational quality which reproduces social inequality but that of educational quality which is supported by “freedom from racial inequality.” How then, can the *Brown* decision help students escape from such a fortified Klein bottle?

The first challenge for freedom from such social and racial inequality begins with educative control to free both the oppressed and the oppressor from their prior self-conceptions. The doctrine of “separate but equal” in the *Plessy* (1896) case showed that racial inequality could not be solve by the same provisions of school facilities with racial treatment. The doctrine suggests that the best but last answer should not be found in the social structure-bound limitations. Public schooling has focused on the democratic state of things rather than on the democratic state of being. For democratic existence, either freedom or equality should depends on *each*

158 Even if the capitalistic idea is that one’s success in life depends on one’s own efforts, one can hardly attain something by one’s own efforts in a Möbius strip of social structure. Even if the democratic ideal assumes that every child should be treated as equal, public schools are subject to select the elite by competition. Further, the capitalistic conception of equity has been applied to public school contexts by the logic of equal treatment to the equal and unequal treatment to the unequal.

individual, suggesting that one should look inside oneself, not outside oneself, like skin color or social class. In the public school system, what makes each child special is rather the process of individualization of differences, which may lead him or her to contribute to wider and deeper diversities through social relationship.

Basis of educational paradigm. The process of thinking and living in a democratic way needs to make educational concepts¹⁵⁹ compatible with democratic concepts. Many scholars assumed that one's democratic mind reflects the culture of special groups of people (Gee, 1996; Gonzalez, 2001; Perry & Delpit, 1998) and national identity (Anderson, 1991; Chomsky, 1979; Fishman, 1989). Some have tried to interpret democratic nature in terms of social, cultural, and racial backgrounds, whereas others have tried to find out it in power mechanisms (e.g., Gonzales, 2001; McCarty, 2002). The public school system, in a sense, can be regarded as a power system in that it poses a problem of choice based on social backgrounds, including race, even if the education system has been increasingly stratified by social class and poor children have a double disadvantage.

Concerning the function of public school to empower each student as a free and equal being, there seems to be a conflict between the origin of power and the nature of American democracy in that the democratic nature of human existence is

159 The main issues dealt with in education are based on "some assumptions" as follows: about worth-while content with require justification; about the desirability of the procedures by means of which this is to be transmitted. Problems of content raise the conventional issue of the desirability while those of procedure raise ethical issues to do with liberty, equality, and authority etc. (Peters, p. 18).

separate from the capitalistic structure of society. Where, then, can we find an exit to democratic existence? In terms of the origin of power, Foucault (1977) argued that the society as the origin of power consisted of the individual and that power produced effects at the level of desire and at the level of knowledge.¹⁶⁰ However, what does the level of knowledge mean?

If the power, as Foucault argued, may have the nature of repressing and colonizing one's spiritual and practical life, it disproves that his conception of power involves the separation of power from one's own life. This kind of power would be just 'fake forces' that produces countless multi-identities in an individual life, as shown in the case of the borderland (Gonzales, 2001). Further, if knowledge is separate from power and so cannot be internalized as one's way of living, what is the relation between knowledge and power of use?

The continuum of segregation-desegregation-resegregation implied in *Brown* revealed that the democratic principles of freedom, equality, and equity ran separately without any conceptual and substantial relationship, resulting in a dualistic democratic logic. This logic operates in more negative ways for minorities (Kimball, 2004; Olszewski, 2004), producing or reproducing inequality, for example, by higher dropout rates (Kimball, 2004), poor attendance, increased behavior problems, lowered self-esteem and graduation rates (Baca, 2004; Kronberg, 2005), and retention

160 Unlike Foucault's conception of power, Socratic knowledge implies that power is not in the ideals but in the ordinary life in which one tries to make one's own life whole (*Charmides* 156c; 156e). Foucault's conception of power came from the society constructed by the universality of wills while Socratic power originates in the process to examine one's life and others' (*Apology*, 38a; *Lysis* 216a-c).

rates (Merrow, 2004; Urbon, 2004). Without any consideration of its causes or the process by which a program is implemented and without any complete control of historical, political, socio-economical, and cultural variables, it would be not fair to conclude that an ethnic people are genetically intellectually inferior to the other ethnic people.

Initiatives for the proposed educational paradigm. From above examinations, we find a discrete life led by a discrete being from the democratic existence. Educational paradigm for democratic living in the relationship between individual and society in Chapter 1 suggested a reverse triangle-shaped paradigm: educational quality on the bottom is directed upward to the two points of democratic excellence and common good, in which freedom and equality keeps its balance based on educational equity (see Figure 2 in the Introduction). Here are some initiatives for the new democratic paradigm for public schooling.

First, democratic conceptions in the existing paradigm are separated from the lives of the public, generating inequality, in which the conception of equality indicated a necessary connection with not only one's innate inequality but also one's acquired inequality, involving unfairness in equal opportunity and in equal treatment. Further, the capitalistic structure in itself has no exit to equality so as to legitimize unreasonably inequality even through egalitarian policies. The analyses of democratic conceptions reveal that such distortions of democratic education are caused by the relationship between democratic ideas which do not have any conceptual and

substantial relationship with one's democratic life. This may explain why such democratic efforts after *Brown* have little worked in the public school system.

Second, the tension between capitalism and democracy points out that some intrinsic values have been separated from the extrinsic values. As revealed in the historical exploration in Chapter 2, the tensions between individual interests and social need generated the conversions of the ends into the means, while legitimizing even the means without an end. As a result, the conception of excellence was just needed for social success or for selection of the elite, without any educational implications of good person for an individual and common good for a society. This consequence reflects a distorted way of thinking, in which democratic values are regarded as something that can be given as a result of schooling, not in the process of schooling. Such intrinsic value saturated in one's way of thinking and living, by its nature, should be sought for in an intrinsic way, implying that the intrinsic values should be prior to extrinsic values for the capitalistic means to the democratic end.

Third, the separation of educational policies from students' lives showed the separation of educational quality from their lives. Not only competition, legitimized by socioeconomic purpose of schooling but also test scores, legitimizing inequality has ironically generated the fragile connection between schooling and social success. This suggests educational quality be characterized neither by any superior culture nor by mechanical solidarity from the people with the same nationality but by individual differences different ethnicity, but that school quality in the capitalistic-democratic society be based on individual differences.

Chapter 7: Summary and Suggestions

This dissertation deals with a question in terms of democratic principle:

“What should the American public schools be like in order to liberate students from internal and external restrictions to the state of being treated equally?” In the historical, sociological, conceptual, and educational perspectives, this question has different implications for our understanding of the nature of the American public schools, justifying a new paradigm proposed: equality towards excellence through improving educational quality as well as a combination of top-down and bottom-up educational policy in the balance of freedom and equality based on equity.

Summary of Democratic Nature of American Public Schools

To clarify the difficulties and ambiguities in substantializing democratic ideas in the public school system, both educational paradigm assumed in the current public school systems but also newly proposed paradigm were examined in Chapter 1. The study of democratic nature of American public schools needed further recognition of the core problems, social scrutiny of the problems in the capitalistic-democratic structure, and conceptual clarification of the problems. Based on them, the nature and the mode of democratic existence were examined in the public school context and then interpreted in terms of the *Brown* decision.

In Chapter 2, the question for historical exploration of the democratic-capitalistic matrix of public school asked, what ambiguities and difficulties have been salient and recurring in the phenomenon of segregation in conceptualizing democratic

ideas of American public schooling? The historical exploration of segregation revealed several salient structural problems in the history of American public schools. Unavoidable inequality, drawn from the capitalistic structure and characterized by its circular discussions, revealed subphenomena, a convergence of general inequity with socioeconomic inequality and a divergence of socioeconomic inequality into social contexts. Tensions and problems have been converged into the original tension and problem between the individual and society.

In Chapter 3, the question for social scrutiny of the nature of democratic-capitalistic structure asked, how have the ambiguities and difficulties been dealt with in terms of the nature of human existence in the American public school system dominated by capitalistic logic? In terms of the conception of alienation assumed in some sociological theories, the nature of human existence was explicated as relative to others and related to others and self. The mode of human existence, based on the relationship between individual and society and the nature of human existence revealed that an individual cannot help but be alienated from the capitalistic society. Further, the metaphors of the Möbius strip and Klein bottle clarified the structural consequences of a “no exit” in the capitalistic-democratic society.

In Chapter 4, the question for conceptual analyses of democratic principles asked, what notions of freedom, equality, and equity are implied in the nature of human existence and the mode of human existence within public schooling? The conceptual analysis of democratic principles clarified that the democratic principles should be related to each other based on equity. In terms of the nature of human

existence and social structure, a child cannot be free from his or her own innate quality and environmental conditions, which cause inequality. Also, in terms of equality, an unequally treated child lacks freedom from his or her restrictions, suggesting that freedom and equality should be conceptually and substantively related to each others, based on equality, as a rationale for fairness and distribution.

In Chapter 5, the question for educational substantialization of democratic existence asked, what relationship and criteria among democratic principles of freedom, equality, and equity make educational quality democratic? The democratic ideas were substantialized as educational conceptions by specifying the conceptual relationships among democratic ideas. The conceptual structure justifies educational quality, in which both educational opportunity and educational treatment should be defined by one's freedom from ignorance and freedom to do something without violating others' freedom. Further, the educational mode of democratic existence, which was examined in terms of measurability and educability of democratic excellence, suggests that educational quality can be substantialized only when democratic ideas are internalized in each child's life, implying that democracy is a way of thinking and living.

In Chapter 6, the question for case analysis through the *Brown* decision asked, in terms of the public good and substantive knowledge of democratic life, What can be an alternative public education for our democratic society? Focused on democratic principles, the primary problem of the *Brown* decision was ascribed into a matter of democratic life, rather than a matter of race or a matter of socioeconomic inequality.

To reach the educational nature of democratic existence, a meaning of *democratic being* for the common good was probed in terms of the educational meaning of democratic knowledge as excellence. Thus, all these examinations justified the paradigm I proposed in the introduction.

Suggestions: Means and Ends Continuum and Educational Quality

What does it mean that a child is educated into an American? The nature of democratic existence reveals that the ethos of the American people as a prototype of global education lies not in race or class, but in the democratic way of thinking and living, closely related to the meaning of success. Success since the *Coleman Report* (Coleman, 1966) has been measured in terms of the relationship between academic achievement and socioeconomic success rather than in terms of a democratic person who lives with freedom and equality assumed in the nature of democratic existence. The differences between these criteria of success depend on the interpretations of democratic conceptions.

The historical examinations indicate that public schools have paid attention only to the conditions of schooling rather than to the realization of educational ideals as educating human beings. Educational opportunity has had meaning in relation with the achievement of equal occupational opportunity. Ironically, this kind of goal of public schooling cannot support the educational purpose related to the development of democratic mind. A democratic way of life is different from the conditions for lives in a democratic society, in that the focus of the former is placed on how to think

and live democratically, whereas that of the latter is on a bunch of explicitly quantified goods.

The criteria of success implied in the nature of human existence say that human nature, relative to others and related to self, is vulnerable to change. In the capitalistic-democratic society, an individual is not free from social relativity, including social and economic values, in which the meaning of a good life is identical with social and economic success. Unlike this, the nature of democratic existence suggests the quality of thinking and living, in which both individual and society have equal importance in terms of diversity, implying that a “good person” involves the “common good.”

All these arguments support a new paradigm for advancing educational quality and establishing the public school as the basis of democratic policy of education combined with democratic principles of education. Being by democratic living entails the process of humanizing each child by making them internalize his or her own dignity as the process of providing the rationales as well as corollaries for why they should be treated as and developed into free and equal beings. However, how the conceptions of equality and freedom can be dissolved in Americans’ lives is still a pivotal problem due to its distorted means-and-ends continuum.

Means and ends continuum. The means-and-ends chain explains one of the reasons why schooling could not but be transmuted from the original end of schooling from *scholē* (leisure) to schooling as a means for social mobility or getting a job in an individual level and social efficiency or social engine in a social level. Here the

problem is not the means itself but the means-oriented schooling. Besides, correlation in the continuum of a means to an end is often confused with causation, although correlation simply means finding that two characteristics tend to be found together, instead of claiming that the two are interconnected in such a way that one leads to the other. Equality as a means without ends in the unchanged social structure, as shown in the examples of leveling down of public schooling and of justifying the elite, was persuasive in explaining vices of equality, like eventually suffocating individual freedom as the primary source of quality or excellence.

Democratic conceptions suggest that no one can be a real democratic person without consciousness and practice of both freedom and equality and that the conception of differences in the public schools should be interpreted in terms of human dignity, not in terms of inequality. The only way to be democratic depends on the balance between individual freedom and individual equality, based on equity to live with human dignity in a democratic society. If the public school does not give educational opportunity to enable each child to discover his or her limitations and possibilities through democratic ideas, and if school pays attention only to the results of testing instead of the development of students' thinking, the schools may lose the power to create change.

Reversely, if a child wants to be free from self-limitations, he or she strives for competing with self instead of with others; if the child once overcomes the difficulty he or she faced with, he or she will see through human dignity inside everyone; insofar as the child knows that everyone is subject to be equal, the child

will discover that individual good should be common good; at last, the child may realize that the advantages of freedom from the given restrictions may allow the child to do freely what he or she likes, based on considerations for others. Here we can see the advantages of the democratic continuum of means to an end. We need not worry about inequality because the child was already initiated to how to be democratic.

One of the main problems of American schooling is means-oriented schooling, which makes public schooling a process of continuous tinkering. As a consequence, public schools have paid attention only to the conditions of schooling rather than to the realization of educational ideals into students as educating human beings, while emphasizing only half of the democratic ideal, as a means for social mobility in an individual level and social efficiency in a social level. This suggests that public schooling can be the best means to change a society only when schooling directs toward a democratic end, which can be internalized through the process of schooling and in each student's mind.

School may make vital efforts to help students learn to think seriously and to examine their lives and their social environment critically, because that is the way for them to find humanity as the basis of common good. This is the logic of consistence of one's inside and outside. Here is the way to untie the once-twisted strip by gradual and existential understanding of human life, suggesting a way to find true understanding of human mind is in the nature rather than in the appearance..

Educational quality. Educational quality assumed in the democratic continuum of a means to an end has its meaning in the relation with one's own life or

self-consciousness that needs continuous self-reflective examination. Knowledge suggested in the democratic existence is not a body of information or knowledge that can be acquired and stored away, but the knowledge that is substantively related to others' lives as well as one's life. However, the current school system attempts to quantify school quality based on an odd logic of equalization of differences through test scores. Such an odd testing system generates some side effects in the classroom, such as teaching by rote memorization and even cheating on state tests.

“Success of all” or “quality through equality” sounds attractive, but is so controversial, because the quantified quality does not allow any further interpretation beyond the numbers, while underestimating the importance of diverse individual differences. Success depends on how to make such quantified quality substantialized in one's way of thinking and living. If the quantified quality does not have the values or the power, it means that such quality have nothing to do with success.

This dissertation suggests that the conception of school quality have more divisions of potential based on diversity, because without divisions, there would be more elites and more inequality. Diversity suggests its own solutions through equal opportunity, which gives to all its children both the same quantity and the same quality of education” (Adler, 1982; Education Commission of the States Task Force on Education for Economic Growth, 1983).

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